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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, January 10, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

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**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
**ABSENT:** Salinas

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:37 p.m.**

**STAFF IN ATTENDANCE:** Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Jean-Paul Samaha; Kelley LeBlanc; Mary Woods; Adam Light; Joan Kugler; Lisa Gibson; Paul Lord; Jonathan Purvis; Ben Fu; Vahram Massehian; Tina Tam; Dario Jones; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

**A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2001.0927C (VELLVE: 558-6263)  
1515 to 1541 - 19<sup>th</sup> AVENUE - west side, between Kirkham and Lawton Streets, Lot 004, Assessor's Block 1865 - Request for Conditional Use Authorization pursuant to Section 209.6(b) of the Planning Code to install three (3) panel antennas and related equipment as part of Sprint PCS's wireless telecommunications network on a publicly-used structure (a telephone switching station) within a RH-2 (House, Two-Family) Zoning District, and a 40-X Height and Bulk District. The proposal is a Preference Location 1.  
Preliminary Recommendation: Approval with Conditions  
(Proposed for Continuance to January 24, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued to January 24, 2002  
**AYES:** Baltimore, Fay, Joe, Theoharis  
**ABSENT:** Chinchilla, Lim, Salinas

- 2a. 2001.0800CD (M.SNYDER: 575-6891)  
301 GUERRERO STREET - AKA 1795 15<sup>TH</sup> STREET - currently occupied by the business called Jet Hand Carwash and Detailing, southeast corner of 15<sup>th</sup> Street and Guerrero Streets, Lot 35 in Assessor's Block 3555 - Request for Conditional Use authorization under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) to allow the construction of three market rate dwelling units in an RH-3 (Residential, House, Three-family) District, a 40-X Height and Bulk District, and the Mission District.  
Preliminary Recommendation : Approval with Conditions  
**(Proposed for Continuance to February 28, 2002)**

SPEAKER(S): None  
ACTION: Continued to February 28, 2002  
AYES: Baltimore, Fay, Joe, Theoharis  
ABSENT: Chinchilla, Lim, Salinas

- 2b. 2001.0800CD (M.SNYDER: 575-6891)  
301 GUERRERO STREET - AKA 1795 15<sup>TH</sup> STREET - currently occupied by the business called Jet Hand Carwash and Detailing, southeast corner of 15<sup>th</sup> Street and Guerrero Street, Lot 35 in Assessor's Block 3555 - Mandatory Discretionary review under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) for the change of use from a car washing business to three market-rate dwelling units, in the RH-3 (Residential, House, Three-Family) District, a 40-X Height and Bulk District, and the Mission District.  
Preliminary Recommendation: Do not take Discretionary Review and Approve Project as proposed.  
**(Proposed for Continuance to February 28, 2002)**

SPEAKER(S): None  
ACTION: Continued to February 28, 2002  
AYES: Baltimore, Fay, Joe, Theoharis  
ABSENT: Chinchilla, Lim, Salinas

3. 2001.0739DDDDDD (CABREROS: 558-6169)  
3352 WASHINGTON STREET - north side between Walnut Street and Presidio Avenue, Lot 011 in Assessor's Block 0984 - Requests for Discretionary Review of Building Permit Application 2000/0616/2818S proposing to construct a dormer, deck and windscreens at roof level, to horizontally expand the rear of the existing building and to alter both front and rear facades in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
**(Proposed for Continuance to March 14, 2002)**

SPEAKER(S): None  
ACTION: Continued to March 14, 2002  
AYES: Baltimore, Fay, Joe, Theoharis  
ABSENT: Chinchilla, Lim, Salinas

## B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes of December 6, 13 and 20, 2001.

ACTION: Approved  
AYES: Baltimore, Fay, Joe, Lim, Theoharis  
ABSENT: Chinchilla and Salinas

## 5. Commission Matters

Commission Theoharis: Requested clarification regarding 2252 Beach Street, which went before the Board of Appeals last night (January 9, 2002).

- Director Green replied that he would respond under the Director's Report

Commission Secretary: On January 17, 2002, in addition to the election of officers, you (the Commission) will have before you a draft Commission Hearing Schedule for 2002. Please review the draft document and be prepared to discuss it, make recommendations to amend it, and adopt it next week.

**C. DIRECTOR'S REPORT**

## 6. Director's Announcements

*Re: Welcome back*

Welcomed Commissioners back after the holidays.

*Re: Planning Budget*

- Will be preparing a work program, which will include a budget that will show how fees will be received.
- This process will end in February.
- After input from the Commission, this work program will be presented to the Mayor.
- The Board of Supervisors has created a much more accelerated process for this.
- The department will develop a work program around a budget that will include at least a \$2-3 million difference in what the department was funded last year.
- It will be quite a challenge to try to do all that is expected of the department with less.

*Re: Absence of Commissioner Salinas*

- Commissioner Salinas broke his leg in an accident at home.
- We will miss him today and hope he recovers quickly.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**

*Re: 1101 O'Farrel Street Proposal*

- The board voted +9 -2 to allow a map change that provides for a greater height and greater bulk.

*Re: Industrial Protection Zone for Bayview*

- The Board without much discussion unanimously adopted this.

**BOA**

*Re: 2252 Beach Street*

- The Director attended the BOA hearing last night regarding this case.
- The BOA heard this case in December 2001 at which time they proposed a second alternative design to the one this Commission decided on.
- The BOA voted +3 -1 to approve the amended design. Because they needed four (4) votes to overturn the Commission, their vote resulted in the Commission's decision being upheld.

*Re: 144 Eddy Street*

- This proposal is a residential hotel that had been vacant for 20 years. The project sponsor took out permits to renovate the hotel and never informed the department that it had been vacant. The zoning would not allow a tourist hotel.
- The ZA determined that the tourist hotel had been abandoned and that it could be used as a residential hotel.

- The Board upheld him +3 -2. This is in the North of Market Special Use District. It was an important victory for the preservation of affordable housing--and the most important kind of affordable housing in many ways because it is single room occupancy hotels that are affordable to the lowest income levels.

*RE: 1600 Mission Street*

- There is a rotating sign there.  
 - The ZA determined that the permits were unclear. An entire billboard that rotates is not permitted under the code. Elements of a billboard can rotate but not the entire billboard.  
 - The BOA upheld the ZA and said that rotating billboards are not allowed in the City.  
 - There will a clarification to make it extremely clear so that there is no ambiguity.

*Re: 290 Union Street*

- This proposal was approved before the Commission in 1997.  
 - The building was built out, but it was built two feet higher than the Certificate of Appropriateness allowed.  
 - A Discretionary Review was filed on the alteration permits and this was before the Commission again this past summer.  
 - The Commission approved the modifications and the modified certificate of appropriateness.  
 - The BOA upheld the Commission's decision +4-0 and determined that 24 inches beyond a permit is not in substantial compliance and need to file a new certificate of appropriateness and follow the directions of the Commission.

*Re: Community Planning Process*

- At the next hearing under Director's Report, there will be a status report on this process that will begin in February.

#### **D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED**

- 8a. 2000.074EKXC (LeBLANC: 558-6351)  
77 VAN NESS AVENUE - west side between Fell and Hickory Streets, Lot 22 in Assessor's Block 834 - Request under Planning Code Section 309 for Determinations of Compliance and Request for Exceptions including an exception to the rear yard requirement as permitted in Code Section 134(d), an exception to the bulk limits of Section 270 as permitted in Section 272, and an exception to ground level wind current requirements set forth in Section 148. The Project would construct an 8-story, approximately 100-foot tall building containing 50 dwelling units, approximately 19,550 square feet of office space, 1,350 square feet of ground floor commercial space, 3,400 square feet of rooftop open space for the residential units, at least 400 square feet of public open space in the lobby, and 58 parking spaces in a street-level parking garage. The Project site is currently used as a surface parking lot for approximately 60 cars. This Project lies within a C-3-G (Downtown General Commercial) District, and is within a 120-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (including limited number of replacement spaces)

**NOTE: On December 13, 2001, the Commission entertained a motion of intent to approve the Section 309 Determination of Compliance and Exceptions, with the requirement that 6 Below Market Rate units be provided. The vote was +6-0 with Commissioner Baltimore absent. Final Language January 10, 2002.**

SPEAKER(S): None  
 ACTION: Approved  
 AYES: Baltimore, Fay, Joe, Lim, Theoharis  
 ABSENT: Chinchilla and Salinas  
 MOTION: 16320



- 8b. 2000.074EKXC (LeBLANC: 558-6351)  
77 VAN NESS AVENUE - west side between Fell and Hickory Streets, Lot 22 in Assessor's Block 834 - Request for Conditional Use Authorization for parking in excess of the amount allowed as accessory. The Project would construct an 8-story, approximately 100-foot tall building containing 50 dwelling units along with office and retail space. The Project would have one parking space for every residential unit, and eight spaces for short-term commercial use. The Project site is currently used as a surface parking lot for approximately 60 cars. This Project lies within a C-3-G (Downtown General Commercial) District, and is within a 120-F Height and Bulk District.  
Preliminary Recommendation: Disapproval as proposed, for 50 units with one parking space each. The Department recommends approval of conditional use for a maximum of 25 residential parking spaces for 50 units.  
**NOTE: On December 13, 2001, the Commission entertained a motion of intent to approve the Conditional Use to allow 58 off-street parking spaces, with the requirement that 6 Below Market Rate units be provided. The vote was +6-0 with Commissioner Baltimore absent. Final Language January 10, 2002.**

SPEAKER (S): None  
ACTION: Approved  
AYES: Baltimore, Fay, Joe, Lim, Theoharis  
ABSENT: Chinchilla and Salinas  
MOTION: 16321

## E. REGULAR CALENDAR

*Item 9 was called out of order and followed Item 13.*

9. 2001.0505C (WOODS: 558-6315)  
2324 - 2340 CHESTNUT STREET - north side, between Scott and Divisadero Streets, Lots 12 and 14 in Assessor's Block 929 - Request for Conditional Use Authorization under Planning Code Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.27 to exceed the permitted lot size of 9,999 square feet by approximately 7,500 square feet for a total lot size of approximately 17,501 square feet and the permitted use size of 3,999 gross square feet for the expansion of an existing personal service use (Gorilla Sports) from approximately 11,700 gross square feet to approximately 22,700 gross square feet, and to allow hours of operation to commence prior to 6:00 a.m. (5:30 a.m. proposed) in an NC-2 (Small-Scale Neighborhood Commercial District) and a 40-X Height and Bulk District. The proposal is to incorporate the Presidio Theatre space (approximately 11,000 gross square feet) at 2340 Chestnut Street with the existing Gorilla Sports space (approximately 11,700 gross square feet) at 2324 Chestnut Street. The conversion of use of the theatre space would involve removal of theatre seating, interior alterations as well as exterior alterations consisting of the provision of two ingress/egress doorways connecting the two buildings. The existing retail spaces at the front of the Presidio Theatre would be retained.  
Preliminary Recommendation: Approval with Conditions

### SPEAKER(S):

#### (-) Sandra De St. Phalle

- She opposes the conversion of the theatre to an exercise facility since the theatre should be preserved.
- A venue for independent films is very important in San Francisco.

#### (+) Ted Nasser – Consolidated Theatre Inc.

- Gorilla Sports has been very sensitive to preserving various aspects of the Alhambra Theater.
- He believes that Gorilla Sports will be a very good tenant.

**(-) Alfonso Felder**

- The most important part of this is to keep the use of the theatre.
- There is a gym already on this street yet what Gorilla is proposing will remove another good use in this City.
- He hopes that all creative uses are considered before the Commission approves it.

**(-) Scott Weaver**

- He is against this conversion because the Presidio has character and this will destroy this neighborhood character.
- He hopes that the Commission does in-depth investigation and research.
- There are already various gyms in the area.

**(-) Rona Robrig**

- The Marina District has more gyms per capita than any other district in San Francisco.
- She hopes that the Commission will not approve this conversion.

**(+) Kathleen Havlehan – Heaven Day Spa**

- She supports Gorilla Sports expanding.
- She lives in the neighborhood and would like to have a business come in that is already thriving and exciting in other areas of the City.

**(+) Ray Greggains – Physical Education Chairperson at Lincoln High School**

- Because of the generosity of Gorilla Sports, Lincoln High School has been able to thrive in sports education and activities.
- They have donated generous amounts of money to improve the sports program and have also donated sports machines.
- He hopes that the Commission will approve this conversion.

**(-) Tara Dale**

- She would like the theatre to remain a theatre.
- It is an important place and the theatre should stay there.
- She is against this conversion.

**(+) Vegas Jenkins**

- He has been involved with the independent filmmakers.
- He is not against this conversion since it will allow the 'independents' to show their work.
- It is hard for independent filmmakers to get into festivals so this provides an opportunity for independent films to be shown.

**(-) Myriam Oliven**

- She is so angry that the sign was not posted yet there are so many people here to speak on this project.
- She is against this conversion since this neighborhood should not be destroyed.
- She is a member of a gym in the Presidio since there are various gyms in the area.

**(-) Patricia Voughey**

- A continuation date of March 14, 2002 is fine with her.

**(-) Nancy Roselini – Golden Gate Palotis**

- She is opposed to the destruction of a beautiful theatre.
- She hopes that the Commission adheres to the zoning of this area.

**(-) Greg Hanson – Cow Hollow Neighborhood**

- This neighborhood has already rejected the chain businesses.
- He is opposed to this conversion since it will take away the only theatre left in the neighborhood but there are various gyms to choose from.

**(+) Tito Biancci – Owner of the Presidio Theatre**

- His family has owned the Presidio Theatre for over 40 years.
- Their best tenants have been the Century Theatres yet they were not able to renew their lease.
- There is just nobody out there who could afford a single film theatre.
- He feels that Gorilla Sports lease would give them an opportunity to preserve a building that was built pre-1906.
- He feels this is a win-win situation.



**(-) Ted Segal**

- He is opposed to this conversion since it will cause an impact on parking in the neighborhood.
- He would like to have the Commission take time to consider this proposal more.
- Allowing the gym would be an easy way out.

ACTION: Continued to March 14, 2002 because the site was not properly posted.  
Public Comment is open.

AYES: Baltimore, Fay, Joe, Lim, Theoharis

ABSENT: Chinchilla and Salinas

*Item 10 was called out of order and followed Items 8a and 8b.*

10. 2001.0898G (LIGHT: 558-6254)  
**333 SACRAMENTO STREET** - south side between Front and Battery Streets. Assessor's Block 237, Lot 18. The subject building is a two-story-over-basement, early 20th Century modern reinforced concrete building with Sullivanesque detailing, is in a C-3-O (Downtown, Office) Zoning District, is in a 75-X Height and Bulk District, and is located in the Front-California Conservation District. Request for a change in designation from a Category V Building to a Category IV Building under Article 11 of the Planning Code.  
Preliminary Recommendation: Approval

SPEAKER (S):

**(+) Theo Brown – Project Sponsor**

- If there are any questions he is available to answer them.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Theoharis

ABSENT: Chinchilla and Salinas

MOTION: 16322

*Item 11 was called out of order and followed item 10.*

11. 2000.0790E (KUGLER: 558-5983)  
**888 HOWARD STREET** - **Certification of a Final Environmental Impact Report (EIR).**  
The project, which has been revised, is the proposed construction of a 33-story, 340-foot tall hotel building of approximately 487,900 square feet with one level of below-grade parking on the northeast corner of Fifth and Howard Streets (Assessor's Block 3724, Lot 66). The revisions to the original project and associated environmental effects are set out in the Summary of Comments and Responses – Section B. The 37,860 sq.ft. site contains an existing surface parking lot with landscaping which is used by the adjacent Wells Fargo Data Center. The revised project would contain about 600 hotel rooms along with ancillary support uses such as meeting rooms, restaurants, and retail space (the originally proposed 60 to 70 residential condominiums have been eliminated). The hotel entryway would be on Howard St. There are three loading docks planned with entrances from Fifth Street. The site is located in the South of Market area within the C-3-S (Downtown Commercial Support) District and the 160-F Height and Bulk District.  
Preliminary Recommendation: Certify Environmental Impact Report.  
**NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR closed on September 18, 2001. The Planning Commission does not conduct public review of Final EIRs, however, public comment on the certification may be presented to the Commission.**  
(Continued from Regular Meeting of December 6, 2001)

SPEAKER (S):

**(+) Charles Range – South of Market Health Center**

- He would like to have this EIR certified.
  - (+) **Edwin Jocson – Westbay Filipino Resource Center**
  - He would like to have this EIR certified.
  - (+) **Don Marcos – South of Market Employment Center**
  - He would like to have the project certified.
  - (-) **Richard Marquez – Sixth Street Agenda**
  - He is opposed to the certification of this EIR.
  - (-) **David McGuire – Sixth Street Agenda**
  - He is opposed to the certification of this EIR.
  - (-) **Roger Brandon**
  - He is opposed to the certification of this EIR.
  - (-) **Judith Baker – SOMA Child Care**
  - She is opposed to the certification of this EIR.
  - (-) **Quintin Mecke – South of Market Anti-Displacement Coalition**
  - He is opposed to the certification of this EIR since the comments and responses are insufficient.
  - (-) **Demetrio M. Cariño – Veterans Equity Center**
  - He is opposed to the certification of this EIR.
  - (-) **Jim Meko – SOMA Leadership Council**
  - He is opposed to the certification of this EIR since this report is so out of touch with reality.
  - (-) **Jeanne Batalliones – SOMA Community Action Network**
  - She is opposed to the certification of this EIR.
  - This project has not been part of a comprehensive planning process.
  - (+) **Richard Kempes – United Filipino Organizing Network**
  - He urges the Commission to approve the EIR.
  - (-) **Amee Paton – Sixth Street Agenda**
  - She is opposed to the certification of this EIR since this building will have a negative impact on pedestrian traffic.
  - (-) **Cristina Logee – Sixth Street Agenda**
  - She is opposed to the certification of this EIR since it fails to recognize pedestrian safety.
- ACTION: Environmental Impact Report Certified  
 AYES: Baltimore, Fay, Joe, Lim, Theoharis  
 ABSENT: Chinchilla and Salinas  
 MOTION: 16323

Item 12 was called out of order and followed item 9.

12. 2000.005E (GIBSON: 558-5993)  
375 LAGUNA HONDA BOULEVARD - LAGUNA HONDA HOSPITAL REPLACEMENT -  
**Public Hearing on Draft Environmental Impact Report.** The proposed project is the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center, located on the western slopes of Twin Peaks in central San Francisco, and additional site improvements. The project includes: 1) demolition of all existing hospital facilities except the front wings of the Main Hospital Building; 2) construction of four new hospital buildings; 3) construction of an assisted living facility; and 4) expansion of existing outpatient programs and services. The new buildings plus the retained building area would total about 987,000 gross square feet (gsf) (approximately 282,500 gsf more than the existing building area) and would accommodate 1,200 hospital beds (about 135 more beds than are provided at the existing hospital), plus 140 assisted living beds. The new hospital buildings would range from 4 to 7 stories tall, with heights up to about 86.5 feet. A total of 655 off-street parking spaces would be provided, an increase of 52 spaces above existing capacity. Off-street loading facilities would be consolidated into 11 loading spaces, about half the existing supply. The project site, which encompasses most of Assessor's Block 2842, Lot 7, is

zoned P (Public Use) and is within two height and bulk districts: 80-D and OS (Open Space). The project may require a Zoning Map Amendment and a General Plan Amendment, and would require Conditional Use authorization. The 62-acre hospital campus, which is owned by the City and County of San Francisco, has been determined to be eligible for the National Register of Historic Places (NRHP) as an historic district and contains two buildings that appear eligible for NRHP listing as individually significant. Note: Written comments will be received at the Planning Department until 5:00 p.m. on January 16, 2002.

Preliminary Recommendation: Public Hearing Only. No Action Required

SPEAKER(S):

**(-) John Balestreri – Director of the Forest Hill Association**

- He is against this project since the neighbors are concerned that there will be construction traffic that will cause problems.

**(-) Katie Balestreri – Member of the Dewey Circle Beautification Project**

- They work hard to enhance the beauty and quality of life in this neighborhood.

- She is concerned with the heavy construction trucks that will be coming into the neighborhood.

**(-) Roger Ridgeway – Pastor of the St. John's United Church of Christ**

- They do not oppose the project. His issues relate to how serious their (the neighborhood's) input has been taken into consideration.

- There have been various communications (from the neighborhood) with planning staff that have not been included in the EIR.

- This EIR should be corrected simply because it should be the norm of responsible planning.

**(-) Gene Burbank – St. John's Local Organizing Committee**

- His concerns are about omissions in the Draft EIR related to traffic problems and that the project is poorly described.

- These omissions should be corrected.

**(-) Corneia Sapiru – St. John's Local Organizing Committee**

- She believes that the Draft EIR does not deal with traffic issues.

**(-) Steve Suacci – St. John's Local Organizing Committee**

- His concerns with this Draft EIR relate to transportation circulation, parking and traffic.

**(-) Richard Parrino – St. John's Local Organizing Committee**

- He does not agree and is concerned with the major construction impacts on the surrounding neighborhoods stated in the Draft EIR.

**(-) Ann Wharton – St. John's Local Organizing Committee**

- Her concern is about YGC being built here.

**(-) Eileen Fanelli – St. John's Local Organizing Committee**

- Several members of her community have spoken and expressed their concerns and issues regarding the EIR.

- They believe that the lack of a public scoping meeting, the failure of the EIR to reference St. John's and St. Brendan's Local Organizing Committee's written and verbal comments, and the failure to provide a detailed description of the project's scope all violate the spirit and legal intent of CEQA. The EIR, therefore, is incomplete.

**(-) Deborah Wald**

- She is very concerned about the actual construction process and the quality of life that will affect her and her neighbors.

- She lives right next door to the hospital and is concerned about the YGC construction, reservoirs construction, and the noise impact of these.

**(-) John Paul**

- He owns property next to the hospital.

- He believes that the EIR does not correctly inform the public about this project.

**(-) Father Sarkis Petoyan – St. John's Armenian Church**

- He is opposed to this project.

**(-) Solange Bernard-Berg**

- She is opposed to this project.

ACTION: Public hearing only. No Action Required

Item 13 was taken out of order and followed item 11.

13. 2001.1069T (LORD: 558-6311)  
ANIMATED VIDEO SIGNS - Consideration of an Ordinance amending the San Francisco Planning Code Sections 607 and 607.1 to prohibit the use of signs that project or emit animated video images or any kind in specified districts; amending Planning Code Section 607 to prohibit use of certain rotating signs in specified districts; making findings of consistency with the San Francisco General Plan and the Priority Policies of Planning Code Section 101.1; and making the prohibition on video signs retroactive to February 20, 2001.

Preliminary Recommendation: Approval

SPEAKER (S):

(+) **Wayne Crowfoot – Representing Supervisor Peskin**

- He thanked the Planning Department for their collaboration on this legislation.
- This was brought to the attention of the Supervisor by the Fisherman's Wharf Merchant's Association.
- They thought that it would be difficult to maintain the character of the neighborhood if these signs are allowed.
- This legislation would also cover Lombard Street.
- He respectfully asks that the Commission approve this legislation.

ACTION: Approved. Staff will continue to work with Supervisor Peskin and the City Attorney's office to come up with a very precise definition of Article I of the Planning Code for the Video and Video Projection Signs.

AYES: Baltimore, Fay, Joe, Lim, Theoharis

ABSENT: Chinchilla and Salinas

RESOLUTION: 16324

- 14a. 2001.0406CV (PURVIS: 558-6354)  
1654 KIRKWOOD AVENUE - northeast side between Phelps and Newhall Streets; Lots 17 and 18 in Assessor's Block 5279 - Request for Conditional Use Authorization under Planning Code Section 209.4 to construct a 2-story 7,900 gross-square-foot community facility in a residential district. The site is within the RH-2 (Residential, Two-Family) Zoning District with a 40-X Height and Bulk designation. The project would require variances for rear yard, parking and front setback. The Conditional Use request will be heard by the Planning Commission and the Variances by the Zoning Administrator.
- Preliminary Recommendation: Approval with Conditions

SPEAKER (S):

(+) **Deborah Will**

- This project will provide education and recreation to a community that deserves to have these opportunities.
- Just because people are poor does not mean that they cannot have opportunities for education.
- They have letters and petitions and have had community meetings. They have listened to the needs of the community.
- She hopes that this community learning center is approved.

(+) **Dr. William P. Marquis, Ph.D. – The San Francisco Senators**

- He hopes that the Commission approves this project.
- He is a native-born San Franciscan from the Bayview Hunters Point community.
- This center will provide quality service in the areas of academic tutoring; computer literacy; career enhancement; recreation; sports; pregnancy counseling; and drug and alcohol addiction treatment.



ACTION: Approved as amended: staff will continue to work with the project sponsor to develop further design refinements such as stucco materials, trellis type material, and bay windows.  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
 ABSENT: Salinas  
 MOTION: 16325

- 14b. 2001.0406CV (PURVIS: 558-6354)  
1654 KIRKWOOD AVENUE - northeast side between Phelps and Newhall Streets; Lots 17 and 18 in Assessor's Block 5279 - Request for rear yard, parking and front setback variances. Planning Code Section 134(a)(2) requires a rear yard of 45 percent the depth of a lot subject to reduction to a minimum of 25 percent, based on conditions on adjacent lots or 44 percent (44 feet) for the subject lot. The project would provide no rear yard at the ground story and a 25 percent rear yard (25 feet) at the second story. Section 151 requires off-street parking for a community facility to be provided at rates based on the individual uses comprising that facility, or 9 spaces for the proposed facility. The project would provide 2 spaces. Section 132 requires a front setback to be the average of the buildings on adjacent lots or 2 feet for the subject building. The project would have no front setback.

SPEAKERS: Same as those listed in item 14a.  
 ACTION: Zoning Administrator closed the public hearing and granted the variance

15. 2001.0719C (FU: 558-6613)  
100 HARRISON STREET - west side, between Spear and Main Streets, Lot 009 in Assessor's Block 3745 - Request for Conditional Use Authorization under Planning Code Section 253 and pursuant to Planning Code Section 303, to allow the construction of four dwelling units exceeding a height of 40 feet, above an existing building used as a telecom switching facility. The proposed new building height would be 97 feet. The project is in an RC-4 (Residential-Commercial, High Density) District in the Rincon Hill Special Use District with a 105-R Height and Bulk designation.

Preliminary Recommendation: Approval with conditions

SPEAKER (S):

**(+) Aston Perer**

- This project will not affect the surrounding buildings and will not cause shadow or traffic impacts.

- He hopes that the Commission will approve the project.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
 ABSENT: Salinas  
 MOTION: 16326

16. 2001.0914C (MASSEHAN: 558-6363)  
663 HAIGHT STREET - south side between Steiner and Pierce Streets, Lot 027 in Assessor's Block 0861- Request for Conditional Use Authorization under Planning Code Section 710.42 to allow the establishment of a full-service restaurant of approximately 1,375 square feet in an NC-1 (Neighborhood Commercial Cluster) District located within ¼ mile of the Upper Market Neighborhood Commercial District, and a 40-X Height and Bulk District. The proposal is to establish a full-service restaurant (Pick-Me-Up Grill) with seating for approximately 40 persons in a vacant retail space formerly occupied by a hair salon.

Preliminary Recommendation: Approval with Conditions

SPEAKER (S):

**(+) Andrew Junius – Project Sponsor**

- The project sponsor has spent over \$200,000 in renovation expenses. Unfortunately, he did this before knowing that he was required to file a Conditional Use permit.

- The project sponsor has two other restaurants in the City.
- There are a number of letters of support that indicate what a good neighbors the project sponsor is and what a good restaurant operations manager he is.
- The restaurant satisfies the requirements of the code and is compatible with the neighborhood.

**(+) Kevin Krop – Manager of Harvey’s**

- He feels that it is important to allow businesses to come into this neighborhood that are responsible and that are community minded.

**(+) Carla Laser**

- She feels that the conditions of approval are reasonable.

**(+) Bill Barnes**

- He supports this proposal since it will provide activity in the neighborhood.
- The more commercial activity there is in the neighborhood the better they (the neighborhood) are.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

MOTION: 16327

17. 2000.1191C (TAM: 558-6325)  
**1828 GENEVA AVENUE** - southwest corner of Geneva Avenue and Carter Street; Lots 6 and 7 in Assessor's Block 6423 - Request for Conditional Use authorization under Planning Code Sections 303 and 304 for a Planned Unit Development to permit construction of 48 dwelling units, requiring modification of Code standards for dwelling-unit density (Section 209), usable open space (Section 135), rear yard (Section 134), and unit exposure (Section 140) in the RH-2 District and 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions  
**NOTE:** On December 20, 2001, the Commission continued this matter to January 10, 2002 for the Project Sponsor to discuss the project with the Outer Mission Residents Association.

SPEAKER (S):

**(+) Christopher Moscone – Project Sponsor**

- He is available for questions.

**(+) Dan Sullivan – Jading Consulting**

- This project will support the need for expanding the housing supply in San Francisco.
- It will contain 48 units with 6 of the units affordable.
- All units are handicap accessible.
- They have designed the project to preserve all but 4 of the curbside parking spaces.
- There is access to public transportation.
- They met with various neighborhood groups.

**(-/+ ) Steve Currier – Outer Mission Residents Association**

- He appreciated the continuance of this project.
- He does not agree with increasing the number of affordable units.
- The neighborhood is taken care of with regards to affordability.
- This is a very good design yet he would like to have a copy of the traffic study.

**(-) David Graves – Franciscan Wildlife Corridor Alliance**

- He does not oppose housing.
- He has been trying to find a mutually agreeable plan.
- He would like the development to be moved back some to allow space for animals to move through.

**(-) Maya Kosla - Geologist**

- She is not opposed to the development-but more to the existing design.
- A 5-foot buffer between two patches of wildlife is not sufficient.
- Shifting the development to allow for a 30-foot corridor would be adequate.
- Their concern is for the gray fox, which is in danger of local extirpation.



**(+) Steve Granhome – Biologist – LSA Associates**

- Studies have been made which show that movement of wildlife in the area between the project site and McLaren Park is possible.

**(+) Joe O'Donaghue**

- He is in support of preserving wildlife.

**(-) Jennifer Alexander – Vice President – Friends of McLaren Park**

- She is opposed to the development since it will not allow enough space for wildlife to habituate freely.

- There has been loss of wildlife already because of developments.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Theoharis

ABSENT: Chinchilla and Salinas

MOTION: 16328

**F. DISCRETIONARY REVIEW HEARING**

At Approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

18. 2001.0765D

(TAM: 558-6325)

**377 & 381 LIBERTY STREET** - south side, between Sanchez and Church Streets; Lots 28 and 85 in Assessor's Block 3605 - Discretionary Review request of Building Permit Application No. 2001/06/21/2122, 2001/06/21/2118, and 2001/06/21/2125s to demolish two single-family dwellings (377 and 381 Liberty Street) and construct one new single-family dwelling on one merged lot. The properties are within an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. The properties are also within the Dolores Height Special Use District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

**SPEAKER (S):****(+) Stephanie Comer – Property Owner**

- She introduced her architect, Peter Gluck.

**(+) Peter Gluck – Architect – Peter Gluck and Partners**

- The site is on a steep hill in Dolores Heights.

- He plans to bring the landscape down and have it go out on the roof of the building itself.

- He would like to create as much open feeling in the back of the house as he can.

- He is trying to minimize the impact of the house on the street.

- He has been working with department staff and the neighbors to design the house such that it reads like two separate units. The building is smaller than it might be if there were to be two units on the site.

**(+) Steve Vettel – Project Sponsor**

- This proposal meets and exceeds the requirements for a merger and loss of units.

- The units that will be demolished have been vacant for many years so there is no displacement and the houses are unsound.

- If this project is not merged, the house(s) will have to be remodeled and sold in excess of a million dollars. These are not affordable housing resources.

- The project is proposed for owner occupancy.

- They are offering a donation to the Mayor's Office of Housing to mitigate the loss of a unit.

**(+) Donald Earlebaugh – Dolores Heights Improvement Club – Design Review Committee**

- The committee reviewed the plans and recommended that the DHIC support the project.

- They based their support on the final plans.

- They met with neighbors to support their recommendations.

**(+) Amy Powell – Dolores Heights Improvement Club**

- The club supports this project.

- They were not aware that there was anyone against this project but apparently there is one person.

- This project does satisfy the neighborhood design guidelines.

**(+) Rob Cragy**

- He read a letter of an adjacent neighbor who is in support of this project.

**(+) Peter Culley – Peter A. Culley Structural Engineers**

- He is available for questions.

**1<sup>st</sup> ACTION:** Do not take Discretionary Review and approve the project with the request that the Commission accept sponsor's voluntary \$110,000 contribution to the Mayor's Office of Housing.

**AYES:** Baltimore, Lim, Joe

**NAYES:** Chinchilla, Fay, Theoharis

**RESULT:** The motion failed to carry.

**2<sup>nd</sup> ACTION:** At the call of the chair, the matter was continued to February 7, 2002 to allow the 7<sup>th</sup> Commissioner to review the hearing tapes and project material and vote on it.

**ABSENT:** Salinas

19. 2001.1097DD (JONES: 558-6477)

**148 BEACON STREET** - north side of Beacon Street, Lot 50 in Assessor's Block 7542 - Request for Discretionary Review of Building Permit Application No. 2001/03/09/3927 proposing new construction of a three-story, single-family dwelling on a newly subdivided lot in an RH-1 (Residential, Single-Family) District and a 40-X Height and Bulk District. (Proposed new lot number pending at the Assessor's Office)

Preliminary Recommendation: Do not take DR and approve the building permit as submitted.

(Continued from Regular Meeting of December 20, 2001)

**SPEAKER(S):** None

**ACTION:** All Discretionary Review Requests Were Withdrawn

20. 2001.1087D (MASSEHAN: 558-6363)

**66-68 6<sup>TH</sup> AVENUE** - east side between the Presidio and Lake Street, Lot 027 in Assessor's Block 1353 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/09/04/7517, proposing to merge two dwelling units of a two-unit building into one unit. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

**SPEAKER(S):**

**(+) Mary Lis**

- They purchased the vacant building and prior to purchasing they

- This will be their long-term home. All of her family and long-time friends live in the City.

- They currently occupy both units and hope to have more children. With the merger of the units they will be able to move between the two floors more easily.

**(+) Joe Lis**

- They made a big effort to investigate the policy of mergers.

- A chief building inspector gave them an informal report on the property.

- What they are proposing will not change the façade of the building noticeably.

- They want to keep the charm of the neighborhood.

**(+) Bob McGrath**

- When they purchased the building, his daughter was under the understanding that mergers were relatively easy.
- They have made the units more livable.
- He hopes that the Commission will approve this merger.

**(+) Jean McGrath**

- She is Molly's stepmother.
- The neighborhood is filled with families who have lived there for many, many years.
- The project sponsors would like to live closer to their family.
- They have strong family ties.
- She hopes that the Commission will approve this project.

**ACTION:** Did not take Discretionary Review and approved the project as submitted.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Theoharis

**ABSENT:** Lim and Salinas

21. 2001.0925D (FU: 558-6613)  
**45 GLADYS STREET** - east side between Appleton Avenue and Santa Marina Street, Lot 019 in Assessor's Block 5710 - Request for Discretionary Review of Building Permit Application Number 20012001/03/06/3618, proposing to remodel the interior space and extend the two-story rear of the building ten feet to the minimum rear yard setback requirement of 45 percent of lot depth. The project sits within an RH-2 (Residential, House, Two-Family) District, the Bernal Heights Special Use District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the project as revised by the Project Sponsor.

**SPEAKER(S):****(-) Kathleen Ramos – Representing the DR Requestor**

- The DR requestor was not able to attend this hearing so she will be presenting the case.
- The proposed addition will block the DR requestor's view and light onto the yard and kitchen.
- The DR requestor is also concerned with the decrease in property value.

**(+) Andy Rodgers**

- The house is modest in size.
- This project conforms to San Francisco's zoning ordinances and the Bernal Heights Special Use district.
- The addition falls between the setback lines.
- They have made changes to the design after listening to the concerns of the neighbors.
- He hopes that the Commission will approve the project.

**ACTION:** Took Discretionary Review and approved as revised by the project sponsor: reduce the deminsions of the building by one foot in both depth and height; add a deck in the rear yard; replace the gable roof of the dormer to a shed roof.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Theoharis

**ABSENT:** Lim and Salinas

22. 2001.0955D (MASSEHIAN: 558-6363)  
**3140 CLAY STREET** - north side between Lyon and Baker Streets, Lots 037 and 041 in Assessor's Block 0999 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/08/02/5173, proposing to merge two units of a twelve unit building into one unit. The subject property is located in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and Disapprove Application

**SPEAKER(S):****(+) Heather Godfrey**

- She would like to merge the units since one of the units is not inhabitable.
- There will not be any displacement.
- She plans to get married and start a family.

**(+) Ralph Godfrey**

- He is Heather's father.
- The unit above has been vacant for over 5 years.
- He hopes that his daughter will stay in this merged unit and will be able to raise her family.
- His daughter has been very sensitive to the concerns of her neighbors.

**ACTION:** Took Discretionary Review and Disapproved this Application

**AYES:** Baltimore, Chinchilla, Fay, Theoharis

**NAYES:** Joe

**ABSENT:** Lim and Salinas

**G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKERS:** None

Adjournment: 7:30 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 24, 2002**

**ACTION:** Approved

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

255  
#10  
/17/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, January 17, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

FEB 14 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
**ABSENT:** Salinas

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner-Zoning Administrator; Jonathan Purvis; Mary Woods; Michael Smith; Craig Nikitas, Scott Sanchez; Thomas Wang; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.0671E (CHAN: 558-5982)  
222 VALENCIA STREET - Assessor's block 3533, Lot 4. **Appeal of Preliminary Negative Declaration.** The proposed project includes the construction of nine residential units, approximately 400 square feet (sq.ft.) of ground floor commercial space, and nine off-street parking spaces within a new five-story structure. The site is a fenced private parking lot for approximately 13 cars. A 780-square-foot warehouse is on this 4,590-square-foot site. The new building would be approximately 50 feet in height. Vehicular access to the site would be from Valencia Street. The project site is within the Board of Supervisors adopted Mission District Interim Controls. Under the controls, any change of use would require a Discretionary Review (DR) and all market rate housing that does not provide at least 25% affordable units on site would require a Conditional Use (CU) authorization. Therefore, the project requires a DR and a CU. The project site is also within the study area of the proposed Upper Market Better Neighborhood 2002 Program. The project site is located within the C-M (Heavy Commercial) zoning district and within a 50-X Height and Bulk district.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration  
(Proposed for Continuance to February 7, 2002)



SPEAKER(S): None  
ACTION: Continued as proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
ABSENT: Salinas

2. 2001.0509D (CABREROS: 558-6169)  
3016 PIERCE STREET - east side between Greenwich and Filbert Streets, Lot 019 in Assessor's Block 0514 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/04/02/5739, proposing to merge an existing two-unit building into a single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the application (Continued from Regular Meeting of November 1, 2001)  
**(Proposed for Continuance to March 28, 2002)**

SPEAKER(S): None  
ACTION: Continued as proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
ABSENT: Salinas

3. 2001.0782D (VELLVE: 558-6263)  
3973A - 17<sup>TH</sup> STREET - south side between Castro and Hartford Streets. Assessor's Block 3582 Lot 077 - Staff-initiated Discretionary Review of Building Permit Application 2001/07/05/3023 for a dwelling unit merger from 6 to 5 units for a legal six-family dwelling in a RH-3, Residential House, Three Family, district and a 40-X Height and Bulk district.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the application.  
(Continued from Regular Meeting of December 13, 2001)  
**DISCRETIONARY REVIEW WITHDRAWN**

SPEAKER(S): None

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Proposed adoption of Planning Commission hearing schedule for 2002

SPEAKER(S): None  
ACTION: Continued as amended: Cancel the hearing on March 28, 2002 in observance of Passover  
AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
ABSENT: Salinas

5. **ELECTION OF OFFICERS:** In accordance with the Rules and Regulations of the City Planning Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year, or at a subsequent meeting, the date which shall be fixed by the commission at the first Regular Meeting on or after the 15th day of January each year.

**NOMINATIONS FOR PRESIDENT:** Hector Chinchilla  
ACTION: Approved  
AYES: Baltimore, Fay, Joe, Lim, Theoharis  
ABSENT: Salinas

**NOMINATIONS FOR VICE PRESIDENT:** William W. Fay  
ACTION: Approved



AYES: Baltimore, Chinchilla, Joe, Lim Theoharis  
ABSE'IT: Salinas

6. Commission Matters

**Commissioner Theoharis:** She would like to have scheduled in February 2002, the Ocean Avenue/Balboa Street Better Neighborhoods 2002.

C. DIRECTOR'S REPORT

7. Director's Announcements

- Congratulated new officers and thanked former president Theoharis.

*Re: Dinner honoring former President of the Landmarks Board – Daniel Reidy*

- On Monday, January 14, there was a dinner honoring Dan Reidy who has resigned from the Landmarks Board. The Mayor issued a proclamation and the Department issued a Resolution.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**

*Re: Appeal of Certification of EIR for De Young Museum*

- After listening to further testimony from appellants, the Board upheld the Commission's decision by a +10-1 vote.

- The Board determined that the document the Commission certified was accurate and sufficient.

*Re: Conditional Use for an antenna at 2801 California Street*

- The Board heard the appeal and after hearing testimony, the Board upheld the appeal and overturned the Commission's approval by a vote of +10-1.

- The Board felt that there was no need for this antenna, that customers of Sprint were still able to receive service. Sprint felt that this site was necessary in order to improve service.

**BOA**

- The ZA thanked former president Theoharis and congratulated the new officers.

*Re: Commissioner Salinas*

- Commissioner Salinas is doing better and hopes that he will be here for next Thursday's hearing.

*Re: 176 Clipper Street*

- The Commission did not take Discretionary Review on this project and approved it.

- The issues that were before the BOA: 1) the peak of the roof had been moved back approximately 7 inches for structural reasons. This is different from what the Commission saw. There was a concern that the building was within 6 inches of the rear yard; 2) there were concerns that the house was too large and that it was out of character.

- The BOA upheld the Commission's decision with two modifications: 1) The Planning Commission required obscured glass be placed in the windows that face the property line. The BOA felt that obscured glass was not necessary since there were no transparent windows on the adjacent DR filer's property, only an obscured stained glass window. 2) There was a stairway that comes out from the third floor. The project sponsor requested that there be a small roof over that. The BOA agreed.

**D. REGULAR CALENDAR**

9. 2002.0037U (LIGHT: 558-6254)  
200 CALIFORNIA STREET (a.k.a. 201 FRONT STREET) - at the northwest corner of Front and California Streets, Lot 006, in Assessor's Block 0237 - Applicant's appeal of the Planning Director's disapproval of sign permit No. 2001/11/03/2089 under Planning Code Section 1111.7(6) for a General Advertising sign on a Category V building in the Front-California Street Conservation District. The lot is located in a C-3-O (Downtown Office) District and a 75-X Height and Bulk District.  
Preliminary Recommendation: Uphold the Director's disapproval.

SPEAKER(S): None

ACTION: Without hearing, continued to January 24, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

10. 2001.0015Z (WOODS: 558-6315)  
1052 OAK STREET - north side between Divisadero and Scott Streets, Lot 5 in Assessor's Block 1216 - Request for reclassification of a portion (approximately 3,136 square feet) of Lot 5 (a part of the Touchless Car Wash site) from NC-2 (Small-Scale Neighborhood Commercial) District to RH-3 (Residential, House, Three-Family) District. Currently, the entire lot area, approximately 4,199 square feet, of Lot 5 is zoned NC-2. This reclassification is to allow the construction of three new residential units in accordance with Planning Commission Motion No. 16036 relating to a conditional use authorization approved on November 16, 2000 to expand the car wash.  
Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.  
(Continued from Regular Meeting of December 6, 2001)

SPEAKER(S): None

ACTION: Without hearing, continued to March 21, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

11. 2001.1059C (McGEE: 558-6367)  
2601 MISSION STREET - at the southeast corner of 22nd Street and Mission Street, Lot 069, in Assessor's Block 3637 - Request for Conditional Use authorization to: (1) install a total of six panel antennae, one GPS antenna, and associated equipment cabinets, as part of a wireless communication network for **Metro PCS**, per Sections 712.83/790.80 of the Planning Code; and to: (2) add a use to a lot along Mission Street on a site that is larger than 40,000 square feet, per Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls), within an NC-3 (Neighborhood Commercial, Moderate-Scale) District, a 50-X/65-B Height and Bulk District, and Mission Alcoholic Beverage Special Use Subdistrict. The project is Preference 2, a Co-Location Site on which other WTS facilities currently exist, under the WTS Facilities Siting Guidelines.  
Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

**(+) Debra Stein – Project Sponsor**

- This antenna will allow improved service to the Mission District.

- Because this is an office building and the tallest in the neighborhood, it is preference 2 location.

- There were notifications mailed to neighborhood associations and residents in three different languages. There were also bilingual community meetings.

- She thanks staff for their great work on this proposal.

**(+) Mary Ann Miller – Tetrattech Wierless**

- The placement of the antennas will be flush mounted onto a penthouse screen. These will be painted to be similar to the penthouse.
- The other equipment will be on the basement of the building.

**(+) Rober Weller – Licensed Engineer with Hammet and Edison**

- His work involves the calculation and measurement of human exposure to radio frequency and electromagnetic fields.
- The energy that is transmitted by these facilities is similar in frequency and content to that of radio and television stations. There is very little difference.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

MOTION: 16329

12. 2000.520C (MARTIN: 558-6616)  
2601 MISSION STREET - at the southeast corner of 22nd Street and Mission Street, Lot 069, in Assessor's Block 3637 - Request for Conditional Use authorization to: (1) install a total of twelve panel antennae, two GPS antennae, and associated equipment cabinets, as part of a wireless communication network for **Nextel Communications**, per Sections 712.83/790.80 of the Planning Code; and to: (2) add a use to a lot along Mission Street on a site that is larger than 40,000 square feet, per Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls), within an NC-3 (Neighborhood Commercial, Moderate-Scale) District, a 50-X/65-B Height and Bulk District, and Mission Alcoholic Beverage Special Use Subdistrict. The project is Preference 2, a Co-Location Site on which other WTS facilities currently exist, under the WTS Facilities Siting Guidelines.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+) Jason Smith – Representing Nextel**

- The installation will be flush mounted and screened by a false screen wall.
- This will cover two service areas therefore eliminating a site in Bernal Heights.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

MOTION: 16330

13. 2001.1114C (P.VOLLMAN: 558-6405)  
2222 POLK STREET - east side between Vallejo and Green Streets, Assessor's Block 0549, Lot 015 - Request under Planning Code Section 723.45 for Conditional Use Approval for a Liquor Store within the Polk Street Neighborhood Commercial District and within the 65-A Height and Bulk District. The proposal is to add a type 20 ABC license for beer and wine sales to an existing retail grocery store known as "Polk and Green Produce." There will be no expansion of or other changes to the existing store.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas

MOTION: 16331

AT APPROXIMATELY 4:30 PM THE PLANNING COMMISSION CONVENED INTO A DISCRETIONARY REVIEW (DR) HEARING.

14. 2001.0969D (P.VOLLMAN: 558-6405)  
224 FILBERT STREET - north side between Napier Lane and Darrell Place, Lot 046 in Assessor's Block 0085 - Staff-initiated Discretionary Review of Building Permit Application number 2001/06/01/0508, for a Dwelling Unit Merger per Commission Resolution No. 160. The proposal is to legalize construction done to merge the two unit building into a single-family house, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and disapprove the building permit as submitted and require the applicant to submit a new building permit to return the structure to two dwelling units.
- SPEAKER(S): None  
ACTION: Discretionary Review application withdrawn
15. 2001.1054D (P.VOLLMAN: 558-6405)  
260 CHESTNUT STREET - north side between Kearny and Grant Streets, Lot 017 in Assessor's Block 0055 - Discretionary Review request of Building Permit Application number 2001/07/13/3612, proposing to add a 24-foot rear addition to the existing three story single family house, in an RH-3 (Residential, House, Three Family District), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as revised.
- SPEAKER(S): None  
ACTION: Discretionary Review application withdrawn
16. 2001.0817DD (TAM: 558-1235)  
1376-24TH AVENUE - east side of 24th Avenue, between Judah and Irving Streets; Lot 26 in Assessor's Block 1778 - Discretionary Review request for Building Permit No. 2000/06/06/1858s to construct a vertical addition (third story) and a rear horizontal extension in the RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.
- SPEAKER(S): None  
ACTION: Discretionary Review Application Withdrawn
17. 2001.527D (CRAWFORD: 558-6358)  
115 ELLINGTON AVENUE - southeast side between Mt Vernon and Ottawa Avenues. Assessor's Block 7043 Lot 003F - Request for Discretionary Review of Building Permit Application 2000/12/18/8198 proposing a one story vertical addition and a 12 foot horizontal addition at the rear of a single family dwelling in an RH-1, (Residential House, One Family) district and a 40-X Height and Bulk district.  
Preliminary Recommendation: Take Discretionary Review and approve the permit with modifications.
- SPEAKER(S): None  
ACTION: Without hearing, continued to March 21, 2002  
AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
ABSENT: Salinas

#### G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items,

your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 4:35 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF  
THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 7, 2002**

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

ABSENT: Salinas





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# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, January 24, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 14 2002

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PRESENT: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:40 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning, Larry Badiner - Zoning Administrator, Adam Light, Glen Cabreros, Jonathan Purvis, Michael E. Smith, Joy Navarrete, Craig Nikitas, Mary Woods, Thomas Wang, Patricia Gerber - Transcription Secretary, Linda D. Avery - Commission Secretary.

### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2001.0502C (SANCHEZ: 558-6679)  
4715 - 4723 GEARY BOULEVARD - south side between 11<sup>th</sup> and 12<sup>th</sup> Avenues; Lot 044 in Assessor's Block 1533 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment on the rooftop and an equipment shelter on the ground level of an existing six-story, mixed-use (residential above commercial) building, as part of Metro PCS's wireless telecommunications network within an NC-3 (Moderate-Scale Neighborhood Commercial District) a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Location Preference 5 (Mixed-Use Building in High Density Districts).  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of November 15, 2001)  
**CONDITIONAL USE APPLICATION WITHDRAWN**

SPEAKER(S): None

ACTION: Conditional Use Application Withdrawn

- 2001.1026C

(RYAN: 558-6812)

1239 9<sup>TH</sup> AVENUE - west side between Lincoln Way and Irving Street; Assessor's Block 1714, Lot 6 - Request for Conditional Use Authorization pursuant to Planning Code Section 730.44 to convert a vacant video store on the ground floor of a two-story building with a dwelling unit above, to a small self-service restaurant (Gordo's Taqueria) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. The restaurant, which is relocating from 1233 9th Avenue, will occupy approximately 990 square feet at the ground level only.

Preliminary Recommendation: Approval with Conditions  
**(Proposed for Continuance to February 7, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

3. 2000.1141C

(SANCHEZ: 558-6679)

2346 - 2348 CLEMENT STREET - north side between 24<sup>th</sup> and 25<sup>th</sup> Avenues, Lot 025 in Assessor's Block 1409 - Request for Conditional Use authorization under Planning Code Section 717.39 to allow the demolition of an existing mixed-use building with a residential unit at the second floor and under Planning Code Section 161(j) to allow the construction of a four-story mixed-use building (four residential units and one commercial unit) without the four required residential parking spaces, within the Outer Clement Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

(Continued from Regular Meeting of November 8, 2001)

**(Proposed for Continuance to February 7, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

4. 2001.0927C

(VELLVE: 558-6263)

1515 to 1541 - 19<sup>th</sup> AVENUE - west side, between Kirkham and Lawton Streets, Lot 004, Assessor's Block 1865 - Request for Conditional Use Authorization pursuant to Section 209.6(b) of the Planning Code to install three (3) panel antennas and related equipment as part of Sprint PCS's wireless telecommunications network on a publicly-used structure (a telephone switching station) within a RH-2 (House, Two-Family) Zoning District, and a 40-X Height and Bulk District. The proposal is a Preference Location 1.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of January 10, 2002)

**(Proposed for Continuance to February 14, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

5. 2001.0062E

(CHAN: 558-5982)

491 BAYSHORE BOULEVARD - Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21, and 28. **Appeal of Preliminary Mitigated Negative Declaration.** The proposed project would demolish the vacant buildings, totaling 107,372 square feet (sq.ft.) and construct a home improvement store (Home Depot). The main store would be two stories, approximately 129,581 sq.ft. with a 10,088-sq.-ft. enclosed green house. The proposed project also includes an 8,550-sq.-ft. outdoor-garden center. The total project size would be approximately 148,219 sq.ft. The building would be approximately 40 feet in height. A

parking garage consisting of three-levels of parking totaling 550 parking spaces would also be constructed on this 5.73-acre site. Vehicular access to the parking garage would be from Bayshore Blvd., where Cortland Ave. dead-ends into Bayshore Blvd. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) and is located in a M-1 (Light Industrial) zoning district and within a 65-J height and bulk district.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 6, 2001)

**(Proposed for Continuance to February 21, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

6. 2000.1183DDD (SANCHEZ: 558-6679)  
1725 LAKE STREET - south side between 18th and 19th Avenues, Lot 035 in Assessor's Block 1378 - Requests for Discretionary Review of Building Permit Application No. 2000/07/03/4299'S' proposing to add two floors, an extension to the rear and additions to both sides and the front of an existing single-family house in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of November 1, 2001)

**(Proposed for Continuance to March 28, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of January 10, 2002.

**SPEAKER(S):** None

**ACTION:** Approved as corrected: on item 8a & b, show Theoharis as voting in favor of the motion

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

8. Commission Matters

**AVERY:** Reminded the Commission of their annual obligation to submit their Statement of Economic of Interest Form prior to April 2, 2002.

**PRESIDENT CHINCHILLA:** Welcome back Commissioner Salinas

**COMMISSIONER SALINAS:**

- Thanked the Commission and staff for all their attention and support.

- Congratulated the new officers of the Commission and thanked former President Theoharis.

## **C. DIRECTOR'S REPORT**

9. Director's Announcements

- **Welcome back Commissioner Salinas**

- **Announced a series of community planning workshops for the coming month.**

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

None

11. Consideration of amending the existing Planning Commission Inclusionary Housing Policies

**SPEAKER(S):** None

**ACTION:** Continued without hearing to 2/7/02

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**D. REGULAR CALENDAR**

12. 2002.0037U (LIGHT: 558-6254)  
200 CALIFORNIA STREET (a.k.a. 201 FRONT STREET) - at the northwest corner of Front and California Streets, Lot 006, in Assessor's Block 0237 - Applicant's appeal of the Planning Director's disapproval of sign permit No. 2001/11/03/2089 under Planning Code Section 1111.7(6) for a General Advertising sign on a Category V building in the Front-California Street Conservation District. The lot is located in a C-3-O (Downtown Office) District and a 75-X Height and Bulk District.  
Preliminary Recommendation: Uphold the Director's disapproval.  
(Continued from Regular Meeting of January 17, 2002)

**SPEAKER(S):**

**(+) (unknown name), appellant**

- This is a good and allowable use for the building

**(-) Ernestine Weiss**

- Against signs in the City

**(-) Marge Cooper**

- Support Director Green's recommendation

**ACTION:** Upheld the Director's disapproval

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16332

13. 2001.0632C (CABREROS: 558-6169)  
1926-1928 CLEMENT STREET - north side between 20th and 21st Avenues in the Outer Clement Street Neighborhood Commercial District and a 40-X Height and Bulk District, Lot 020 in Assessor's Block 1413 - Request for Conditional Use Authorization under Planning Code Sections 303 and 717.39 to demolish a two-story dwelling unit which occupies the second and third stories. The proposal is for the demolition of an existing three-story building containing a vacant dwelling unit and a vacant commercial space at the ground floor. New construction of a three-unit, 40-foot tall, four-story residential building is proposed. Three independently accessible parking spaces and a new ten-foot wide curb cut will be provided.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) David Silverman, Ruben and Alter**

- Urge the Commission to approve the project

**ACTION:** Approved

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16333

14. 2001.0841C (PURVIS: 558-6354)  
448 CORTLAND AVENUE - southwest corner of Cortland at Andover Street; Lot 001 in Assessor's Block 5678 - Request for Conditional Use Authorization under Planning Code Sections 121.2 and 711.21 to expand an existing retail grocery store, "The Good Life



Grocery," from approximately 4,890 square feet (s.f.) to approximately 6,460 s.f. within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District. The proposal is: to expand "The Good Life Grocery" into the space formerly occupied by a retail video store within the same building. No physical expansion of the building is proposed, but the size of the store will increase to approximately 6,460 s.f. Sections 121.2 and 711.21 require conditional use authorization for all non-residential uses of 4,000 s.f. or larger. In addition, the building façade would be revised with a larger entryway and additional windows along Cortland Avenue.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Lester Zeidman, Project Sponsor**

- His business had been very beneficial to the community
- Asked the Commission for approval

**(+) Greg Perrera, General Manager of The Good Life Grocery Store**

- This business has revitalized the neighborhood
- The owners are committed to the community

**(+) Larry Cruz**

- Supports project

**(+) Ron Gan**

- Supports project

**(+) Manny Guerrero**

- Supports project

**(+) Karen Heaterburg, store co-owner**

- We need to expand our store to serve our community better

**(+) Ernest East**

- Supports project

**(+) Terry Milne**

- Supports project

**(-) Robert Mokry**

- Concerned about the time of garbage collection and the smells from the garbage

**ACTION:** Approved as amended:

- Under the requirements of Planning Code Section 143, street trees of a minimum 15-gallon size shall be planted along both the Andover Street and Cortland Avenue sidewalks every 20 feet subject to approval by the Department of Public Works.
- All trash and recycling shall be placed either along the Cortland Avenue frontage for pick-up, or kept within the building at all times. No trash or recycling shall be stored at any time along the Andover Street frontage.
- The operator of the facility shall maintain the main entrance to the facility and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping and litter pickup and disposal, and washing or steam/pressure cleaning of the main entrance and abutting sidewalks at least once each two weeks.
- Should the monitoring of the conditions of approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e).

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16335

**ITEM 15 WAS CALLED OUT OF ORDER. THIS ITEM FOLLOWED #13**

15. 2001.0994C (SMITH: 558-6322)  
5700 MISSION STREET - northwest corner of Mission Street and Farragut Avenue, Lot 001 in Assessor's Block 7109 - Request for Conditional Use Authorization under Planning Code Section 711.39 to demolish the existing one-story over garage single-family



building and one-story commercial building both located on the same lot and construct a four-story mixed use building with ground floor commercial space and four residential units above, located in a NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

(+) **Ahmad Larizadeh , Project Sponsor**

- Asked the Commission to approve this project

(-) **Thomas A. Morris**

- Concerned about the parking congestion that these 4 additional units will bring to the neighborhood

**ACTION:** Approved as amended:

- **Continue to work with staff to ensure that parking spaces are accessible by the tenants**

- **Add good neighborhood policy to require commercial tenant to provide steam cleaning**

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16334

16a. 1999.455E (NAVARRETE: 558-5975)

**THE NEW De YOUNG MUSEUM PROJECT - Adoption of Findings Pursuant to the California Environmental Quality Act.** The proposed project would demolish and reconstruct the M.H. De Young Museum on the site of the existing De Young Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which compose the De Young Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade with a varying roof height ranging from 33 to 48 feet, and a 144-foot tower at the northeast corner of the project site. The building would increase current De Young Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden.

Preliminary Recommendation: Adopt CEQA findings

**SPEAKER(S):**

(+) **Erick Parker, Director of the San Francisco Museums**

- Made himself available to the Commission to answer any questions

(+) **Ernestine Weiss**

- Supports project

(-) **John Laskin**

- Opposed project

**ACTION:** Approved as amended:

**For the CEQA motion: page 11 finding #3: strike the words  
" ... and possibly for a butterfly conservancy."**

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16336

16b. 2000.1094KRV (NIKITAS: 558-6306)

**THE NEW De YOUNG MUSEUM PROJECT - Planning Commission Findings Regarding Planning Code Section 295 ("Sunlight Ordinance").** The proposed project would demolish and reconstruct the M.H. De Young Museum on the site of the existing De Young

Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which comprise the De Young Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade, with a varying roof height ranging from 33 to 48 feet, and a 144-foot tower at the northeast corner of the project site. The building would increase current De Young Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District, Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden. Section 295 of the Planning Code requires, prior to approval of the project, that a determination be made that shading from the structure will not have a significant and adverse effect on lands under the jurisdiction of the Recreation and Park Department. The Planning Commission shall make this determination following a recommendation by General Manager of the Recreation and Park Department in consultation with the Recreation and Park Commission.

Preliminary Recommendation: Find that shadow impact on Golden Gate Park is *de minimus* and shadow impact on elements of the Park is not significant or adverse.

**SPEAKER(S):** Same as those listed in item 16a.

**ACTION:** Approved as amended:

**A new finding #1 should be added:**

- **"The above recitals are accurate and constitute findings of the Planning Commission. The subsequent findings should be renumbered.**
- **Page 5, Finding 9Dviii: strike the words "the existing shadow from..."**
- **Page 6, Finding 9Dx: change the word "solid" to the word "significant"**
- **Page 8, Finding 11: change the text as follows: (change in bold):**  
**"... on elements of Golden Gate Park is considered not adverse and new shadow cast on the Park as a whole is not adverse and is deemed de minimus."**

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis  
**MOTION No.** 16337

- 16c. 2000.1094KRV (NIKITAS: 558-6306)  
**THE NEW De YOUNG MUSEUM PROJECT** - Findings Of Consistency With General Plan And Planning Code Priority Policies For The New De Young Museum Project In Golden Gate Park. The proposed project would demolish and reconstruct the M.H. De Young Museum on the site of the existing De Young Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which compose the De Young Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade, with a varying roof height ranging from 33 to 48 feet, and a 144-foot tower at the northeast corner of the project site. The building would increase current De Young Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District, Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden. Planning Code Sections 234.1 and 290 require uses in a P district and an OS height and bulk district be in conformity with the General Plan.
- Preliminary Recommendation: Find that Project is, on balance, in conformity with General Plan.

**SPEAKER(S):** Same as those listed in item 16a.

**ACTION:** Approved as amended:

**A new finding #1 should be added:**

- "The above recitals are accurate and constitute findings of the Planning Commission."

**The subsequent findings should be renumbered.**

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**MOTION No.** 16338

- 16d. 2000.1094KRV (WOODS: 558-6315)  
**THE NEW De YOUNG MUSEUM PROJECT - Parking Variance Request.** The proposal is to remove 85 surface parking spaces for museum staff, currently on the eastern side of the museum, and to construct a new De Young Museum without providing the required 156 off-street parking spaces. The project site is within the P (Public Use) Zoning District and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive, and to the west by the Hagiwara Japanese Tea Garden.

**SPEAKER(S):** Same as those listed in item 16a.

**ACTION:** The Zoning Administrator closed the public hearing and granted the parking variance.

**AT APPROXIMATELY 4:00 PM THE PLANNING COMMISSION CONVENED INTO A DISCRETIONARY REVIEW (DR) HEARING TO HEAR AND ACT ON DISCRETIONARY REVIEW MATTERS.**

17. 2001.0956D (WOODS: 558-6315)  
**226-228 16<sup>TH</sup> AVENUE** - east side between California and Clement Streets, Lot 40 in Assessor's Block 1418 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/03/03/3407, proposing to merge a three-unit building into a two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

**SPEAKER(S):**

**(+) Charlie Hono, Project Sponsor**

- Asked the Commission to approve the project

**(+) Chuck Neighbor**

- Supports project

**ACTION:** Did not take Discretionary Review and approved the building permit application as submitted

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim

**NAYES:** Salinas and Theoharis

18. 2001.0693D (WANG: 558-6335)  
**1878 GREAT HIGHWAY** - east side between Noriega and Ortega Streets; Lot 029 in Assessor's Block 2085 - Request of Discretionary Review of Building Permit Application No. 2001/05/01/8062 to construct a third story vertical addition, at the existing one-story over garage, single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

**SPEAKER(S):**

**(+) Helen Miranda, representing Discretionary Review Requestor**

- Proposed construction would block the air and light

- Asked the Commission to incorporate a 25 foot setback so light and air can be retained

**(+) Terri Yee**

- Asked the Commission to require the owner to setback their design and reduce the 25 foot ceiling to keep their air and light

**(+) Jerry Yee**

- Read a statement from Wendy Westman, former tenant at 1878 Great Highway

**(-) Claire Pilcher, representing the project sponsors**

- Urge the Commission to approve the project

**(-) Ralph Henson, co-owner**

- This project will enhance the neighborhood
- Asked the Commission to approve the project

**(-) Amanda Levy, Kotas, Panteloni Architects**

- Gave an overall description of the design of the house

**ACTION:** Did not take Discretionary Review and approved the project as submitted

**AYES:** Chinchilla, Baltimore, Lim, Salinas, Theoharis

**NAYES:** Fay and Joe

**F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: **4:49 PM**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 7, 2002**

**SPEAKER(S):** None

**ACTION:** Approved

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

**ABSENT:** Salinas





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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, February 7, 2002

**1:30 PM**  
Regular Meeting

DOCUMENTS DEPT

FEB 28 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:35 p.m.**

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner-Zoning Administrator; Tina Tam; Paul Lord; Victoria Ryan; Scott Sanchez; Sharon Young; Matt Snyder; Tammy Chan; Dan Sider; Michael Smith; Dario Jones; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 1999.598D (CHIN: 575-6897)  
135 JORDAN AVENUE - west side of the street between Geary Blvd. and Euclid Street, Lot 008 in Assessor's Block 1062 - Request for Discretionary Review of Building Permit Application No. 9905431, proposing to add a new story and approximately 75 square feet to the basement and second floor at the rear side of the building on a single-family dwelling, located in a RH-1 (D) (Residential, Detached, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
(Proposed for Continuance to February 21, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued to February 21, 2002  
**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Baltimore

2. 2001.0982D (RYAN: 575-6812)  
2887 WASHINGTON STREET, #9 - south side of Washington Street, between Scott and Divisadero Streets, Lot 027 in Assessor's Block 1002 - Request for Discretionary Review of Building Permit Application No. 2001/07/05/2976S, proposing to legalize a 2 foot by 4 foot kitchen counter-top extension into an existing light well at the third floor of a three-story over basement nine-family apartment building in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as submitted.  
**(Proposed for continuance to April 11, 2002)**

SPEAKER(S): None  
 ACTION: Continued to April 11, 2002  
 AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
 ABSENT: Baltimore

3. 2000.585E (TURRELL: 558-5994)  
438-8<sup>th</sup> STREET - **Appeal of a Preliminary Negative Declaration.** The property is on Lot 002 of Assessor's Block 3757, located on the west side of 8<sup>th</sup> Street. The proposal includes the demolition of five existing structures on the project site and the construction of a three-story, 105,500 square foot structure to contain business service uses, which is a permitted use within the district. The project site is on 8<sup>th</sup> Street with frontage on both 8<sup>th</sup> and Converse Streets. The subject site is within an SLI (Service/Light Industrial) District and a 40-X Height and Bulk District within the South of Market District of the City of San Francisco. Two of the existing structures on the site are utilized as storage sheds and the remaining three structures are vacant. The proposed new structure would entirely encompass the subject site, be a maximum of 40 feet in height, and contain three stories. The project would include an open courtyard and 100 belowground parking spaces.  
 Preliminary Recommendation: Uphold Preliminary Negative Declaration  
**(Proposed for continuance to May 2, 2002)**

SPEAKER(S): None  
 ACTION: Continued to May 2, 2002  
 AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
 ABSENT: Baltimore

## B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes of January 17 and 24, 2002.  
 SPEAKER(S): None  
 ACTION: 1/17 approved as drafted. 1/24 approved with corrections to the spelling of two names.  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

5. Commission Matters

**Commissioner Baltimore:** She requested that there be a calendared a discussion on parking policies in the City.

**Commissioner Theoharis:** She received a copy of SPUR's publication, "A Guide to San Francisco General Plan – A Vision of a Place. She was impressed with the clarity. It was interesting and clear. She also mentioned the hard work of former Commissioner Beverly Mills for working long and hard on this project.

**C. DIRECTOR'S REPORT****6. Director's Announcements***Re: Community Planning Workshops*

- The 2<sup>nd</sup> in the series of community planning workshops will be held on Tuesday, February 12, 2002 from 6:00 to 8:30 p.m. at the ODC theatre that is located at 3153 17<sup>th</sup> Street, at the intersection of Shotwell. This will be for the Mission Community Plan Area.

On the 2<sup>nd</sup> of February was the first introductory workshop for the showplace square/potrero hill community plan area. This meeting was held from 10:00 a.m. to 2:00 p.m. The meeting was very successful in providing a starting place. There is still a lot of work to do since there will still be three more of these workshops to be held this month.

**7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS – None****BOA**

January 30, 2002 Hearing:

*Re: 760 El Camino Del Mar*

- The Board upheld the Commission's decision but made one minor change.
- The Commission had originally voted to design a setback on the upper floor to allow more light to the adjacent property's rear yard. The Board decided that this was not necessary.
- The Board basically modified the material selection.

February 6, 2002 Hearing:

*Re: 1209 Vicente Street*

- This was a conditional use that was before the Commission on January 22, 1998 for the modification of a building; reduce the parking on the site; and to keep more of a retail frontage.
- A series of permits were issued, but the Building Department decided that keeping the existing building was not appropriate. The Planning Department issued a building permit that, in general, complied with the decision of the Commission, but was new construction. Unfortunately, the Planning Department in error issued another building permit that was 4 feet higher. The neighbors appealed the demolition, the project sponsor, who had a new representative, recognized that this 4 foot addition was inappropriate, the Board of Appeals understood that, they upheld the demolition permit but stayed the demolition permit until a new building permit was issued. In affect, the neighbors get the opportunity to look at the new building again.

**8. Consideration of amending the existing Planning Commission Inclusionary Housing Policies****SPEAKER(S):****(+) Commissioner Linda Richardson**

- She supports the Director and Staff on this item.
- There are many elements that constrains housing in San Francisco.
- Incentives need to be provided to private developers as well as encourage non-profits.
- She also supports the True Hope project.

**(+) Chris Cunnie – Representing the Police Officers Association**

- He is working closely with the coalition, the community leaders and ministers of the City to represent 2,100 of his members.
- He is here to ask the Commission to support the off site exclusionary housing.
- Affordable housing for his members takes community policing to a new level.

**(+/-) Jamie Rossi – San Francisco Chamber of Commerce and Housing Action Coalition**

- He commended the Commission for having done a great job on this policy.
- Yet he believes that it should help to influence the legislation that is going forward at the Board of Supervisors by Supervisor Leno.
- The inclusionary requirement should be a law not just a guideline.
- He also supports the True Hope Church of God and Union Property Capital. This is a great example of what you can do when you put private capital with the current needs of San Francisco.

**(+/-) Lynn Sedway – Sedway Group**

- She has been engaged to analyze the feasibility of the inclusionary requirements.
- A lot of the scope was augmented to address the concerns and issues raised by the Planning Department.
- She does not agree with all the conclusions of this policy especially those that state that the inclusionary policy is feasible. Although there are other conclusions she does agree with.

**(+/-) Jim Chappell – President of SPUR**

- For 5 years, their major program has been housing production and looking for ways to fund housing in the City. He is also a member of the Housing Action Coalition, where 15 to 20 groups have been working for 2 years for inclusionary legislation. This has resulted in legislation that is before the Board of Supervisor where there is wide-spread agreement by housing organizations.
- Although the Planning Department has been working hard on this, it is still policy and not legislation.
- He would like the Commission and the Planning Department to endorse the legislation that is before the Board of Supervisors.

**(+/-) Rev. Arnold Townsend**

- He realizes that there have been a lot of numbers being discussed but he is concerned with the real human effect on people who cannot afford to live here and have to leave.
- The Department has to be careful to not make requirements so high that developers don't build anything. Then there will not be any inclusionary housing or market rate or any other kind.
- It was a good idea to bring this policy forward but more detail needs to be dedicated to it.

**(+) Walter L. Johnson – San Francisco Labor Council**

- He would like the Commission to please consider the proposal of Bay View Hope Housing. It would be wrong to delay this project.
- He appreciates all the time and work dedicated by the department but there are special cases that require special attention.

**(+) Rev. Ted Frazier – Voice of Pentecost Church**

- He is encouraged with the progress that is being made in this area.
- There is a tremendous crisis in housing and we need creative approaches to solve the problem.
- He supports the project in Bay View Hunters Point.

**(+) Tyrone Netters – Bay View Hope Project**

- He is here to support the Bay View housing project.
- He also supports the Planning Department's policy
- He read a letter from a friend who would like to keep the inclusionary housing requirement for developers at 10 percent.

**(+/-) Hazel Walker – Care and Restoration Inc.**

- She appreciates the staff of the Planning Department and all the hard work related to this policy.
- Affordable housing is very much needed in this City and the Planning Commission has the power to do a better job and a more outstanding job in this City.
- She is concerned that the Bay View Housing Project will be delayed for another year. She hopes that the Commission will not do that.



**(-) Rev. Arelious Walker – Caring and Restoration Home**

- He received faxes, e-mails, etc. from people who had seen the hearing held on the Bay View Housing Project and were very excited about it.
- Recently he has been receiving information that this project will be delayed.
- The Commission has the authority today to make this decision and hopes that the Commission will not delay this project.

**(-/+) Steve Atkinson – Steefel, Levitt and Weiss**

- He will be speaking mostly about the policy's off site housing.
- There are several aspects of the policy that will limit off site housing.
- This will cause many projects to not be able to be built.
- Another issue in the policy is that it states delaying for at least a year to develop a housing credit transfer program.
- He urges the Commission to direct staff to work on the housing credit transfer program immediately.

**(-/+) Tracy Dearman – Haight Street Mortgage Co.**

- She knows that affordable housing is needed.
- She urges the Commission to allow the developers to meet their affordability requirement offsite and not stop developments.

**(-) Marty Dalton – UDC**

- He believes that part of the confusion is that recommendation 7 suggests they wait a year before they come up with policies to make affordable transferable credits available in the market.
- He hopes the Department will come up with some solutions to make these transferable credits happen.

**(-) Gregory Richardson**

- This is black history month and this will be an opportunity to show that the African-American community should stay alive.

**(-) Rev. Larry D. James – New Liberation Church**

- Even though there are so many numbers being discussed today, the bottom line here is people--people and people's lives.

**(-) Bill Poland – Bay West Group**

- He believes that the goals from the Planning Department are to retain the vibrant blend in San Francisco. In order to retain this blend, affordable housing needs to be built.
- He believes that a different percentage needs to be decided upon in order to make this policy work.

**(-) Gia Daniller – Jewish Community Relations Council**

- She hopes that the Commission will not do anything that will have a detrimental effect on the 900 Gillman project.
- She thanks the Department for their efforts with the hope that the Commission will not diminish but increase an already shortage of housing in the City.

**(-) Calvin Welch**

- He supports the Department's recommendation on the Leno Legislation and the draft resolution except for the language of Exhibit B which calls for amendments to the Leno Legislation by increasing the amount of affordability level from 60 -- 100 percent to 80 -- 120 percent which are both in the proposed policies that Department staff is recommending to the Commission.

**(-) Douglas Shoemaker – Non-Profit Housing Association**

- He has been studying and looking at inclusionary housing policies in about 35 different cities in the Bay Area.
- The notion that San Francisco's inclusionary housing has produced so little housing units because the policy is so stringent is not really so because actually the policy is applied to so few projects. He believes that the goal is to have a project go through the Planning Department as a permitted use with no Conditional Use requirement at all. But with the security that the Commission will apply appropriate affordability standards to it.

**(-) Jeffrey Heller – President, AIA**

- He is here representing the AIA.



- He has a few cautions regarding this policy: They have only achieved about 53 percent of the production of housing that is the target goal set by ABAG and others--and this is in the best of development times.

- There cannot have been excess unreasonable profits if we can't even meet the housing goals in developing housing in the best of times. Development of housing is extremely difficult and the margins are extremely narrow and the production of housing projects is very difficult indeed.

- The AIA will be considering what has been put out today but he believes that they will be in agreement with SPUR and Calvin Welch.

**(-) Peter Cohen – Board Member with the Green Belt Alliance and Hayes Valley Neighborhood Association**

- Their mission is to advocate for more housing in San Francisco.

- They believe that San Francisco needs to increase its housing supply as well. That the increased supply needs to be distributed to San Franciscans at various income levels.

- He encourages the Commission to approve the ordinance that is being sponsored by the Board of Supervisors.

- The Planning Department's analysis is very helpful and thorough and it is important to know that there is a collective will to address this need.

**(-) Kim Grose – San Francisco Organizing Project**

- She represents various churches that want to increase affordable housing in San Francisco.

- Housing needs to be as affordable as possible and that is why they support the Leno legislation.

**(-) Gloria Hasbun – San Francisco Organizing Project - St. Charles Borromeo Church**

- Spoke in Spanish.

- She has a problem at the apartment complex where she lives.

- The owner does not want to make any repairs to the apartment--both inside and out.

- Now the owner is selling the building and many of the tenants cannot find an affordable place to live.

- She hopes that the Commission will support them by supporting the Leno legislation.

**(-) Antonia Carreno – San Francisco Organizing Project - St. Anthony's Church**

- She hopes that the Commission will consider the Senior Citizens that have trouble finding a place to live.

- She is supporting Mark Leno's proposal.

**(-/-) Supervisor Mark Leno**

- He has been working closely with the Housing Coalition.

- There are for-profit developers, non-profit developers, affordable housing developers, advocates for transit, for the environment, for seniors, for the neighborhoods, bicycle coalition, chambers of commerce, etc.

- If we are going to double the amount of housing, let's make sure that we double the affordable part of it.

- He knows that the numbers are absolutes but there have been people who have provided good information.

- He would like to recognize the Coalition for having done most of the work for his legislation; his office has mostly been a facilitator.

**(-) Tim Tosta – Steefel, Levitt and Weiss**

- He would like to strike from today's conversation the notion of extraordinary profit.

- The other notion is that the money that could come here to be invested in San Francisco could go to another product type or another location.

**(-) Robert Meyers – City Planning Consultant**

- He surveyed inclusionary housing in other bay area cities.

- Most cities that have requirements only have a 10 percent maximum.

- Building housing in San Francisco is already difficult.

- Raising the requirements will make them out of step with their neighbors and will make it harder for them to meet the housing needs of the residents.

**(-) Carlos Romero – Mission Housing Development Corporation**

- He is concerned with the people who have been the most affected with displacement are the people that live in the southeastern section of the city; people in the Bayview, in the Mission and in SOMA.

- This policy will not help these folks.

- He urges the Commission to move forward with the Leno legislation.

**(-) Clark Manus**

- The 7 points of this policy is quite simple and he feels that this Commission and Supervisor Leno can actually put something in place instead of just talking about it. The more they talk about it the more the opportunity is eluded.

**(-) Valerie Tulier – Facilitator of the Latino Steering Committee**

- She supports public/private ventures such as the True Hope project.

- The community determines its own needs such as affordable housing and how to achieve it.

- People in the Latino community support the True Hope project.

- Affordable housing needs to be just that – affordable.

**(-) Mary Murphy – Farella, Braum and Martel**

- The proposal that Dr. Ghosh presented must clear the market and the solid evidence and solid data suggest that this proposal will not clear the market. There are market realities that must be met.

**(-) Oz Erickson – Emerald Fund**

- He has some issues about this policy, for example: raising the level to 14 percent for the conditional use.

- He recommends that if the Commission is going to consider this, that the affordable component be reduced to 12 percent as opposed to 14 percent.

- He was impressed with the report since there was a lot of work that went into it.

**(-) Ezra Mersey – Tishman Speyer**

- The proposal today supports new housing and he respects the intent of the Planning Department for making sense of housing economics, he respectfully disagrees with various parts of the report.

- The reality is that it will either delay or halt production of inclusionary or market-rate housing in San Francisco. Ten percent as of right, 12 percent conditional use should be the maximum inclusionary housing that high-rise development can sustain.

- The Leno legislation should be a guideline as policy.

**(-) Rom Miguel – Planning Association for the Richmond**

- This policy has to be feasible for developers otherwise nothing gets built.

- Create certainty; the code has to be the base. Policies are great in allowing flexibility but this flexibility should be beyond the base.

- There has been a lack of production.

**(-) Gabriel Metcalf – Deputy Director of SPUR**

- He is here to speak in favor of the Leno housing legislation.

- He is not in total disagreement with the policy the Planning Department is presenting before the Commission.

**(-) Sue Hestor**

- What is item 8 about?

- There is legislation before the Commission that has gone through all of the reviews and is possible to adopt.

- One can't do anything with this.

**(-) Joe O'Donoghue**

- He is not in agreement with the policy presented by the Planning Department.

- He is more in agreement with the Leno legislation.

**(-) Steve Vettel – Morrison & Forrester**

- He urges the Commission to put forward the Leno legislation and support it as it is without corrections.

- Various organizations, left and right, agree with the legislation.

**(-) John Bardis**

- The housing crisis has put San Francisco on the map.
- Why are constraints put on housing?
- Why don't we deal with the matter directly and build housing directly as a city.
- He urges the Commission to ask staff to come back and report on what happened to the housing policies today and show how those alternatives have failed compared to other alternates, including inclusionary housing policies.

**(-) Marshall MacIntire**

- He is a homeowner in San Francisco but he has also been a renter.
- Low income in San Francisco will not be done until everyone agrees that they want it and make sure that people living in this type of housing, actually need to live in this housing because of their income.
- This has to be done fairly.

**ACTION:** Meeting held. The President directed that the matter be brought back to the Commission on February 14, 2002 for action.

**D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED**

*Item #9 was called out of order and heard prior to item #8.*

9. 2001.0765D (TAM: 558-6325)  
377 & 381 LIBERTY STREET - south side, between Sanchez and Church Streets; Lots 28 and 85 in Assessor's Block 3605 - Discretionary Review request of Building Permit Application No. 2001/06/21/2122, 2001/06/21/2118, and 2001/06/21/2125s to demolish two single-family dwellings (377 and 381 Liberty Street) and construct one new single-family dwelling on one merged lot. The properties are within an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. The properties are also within the Dolores Height Special Use District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

(Continued from Regular Meeting of January 10, 2002)

**NOTE:** On January 10, 2002, following public testimony, the Commission closed public hearing. The Commission entertained a motion to take Discretionary Review and approve with the request that we accept the sponsor's voluntary \$110,000 contribution to the Mayor's Office of Housing. The vote was +3 -3. Commissioners Theoharis, Chinchilla and Fay voted no. Commissioner Salinas was absent. The item was continued to 2/7/02 by the Chair.

**SPEAKER(S):** None

**ACTION:** Took Discretionary Review and disapproved the project.

**AYES:** Chinchilla, Fay, Salinas, Theoharis

**NAYES:** Baltimore, Joe, Lim

**E. REGULAR CALENDAR**

10. 2000.749T (LORD: 558-6311)  
 Consideration of an Ordinance amending the San Francisco Planning Code to add Section 315 to 315.9 to establish requirements for all residential developments of 10 units or more to provide inclusionary affordable housing units.  
 Preliminary Recommendation: Pending

**SPEAKER(S):**

**(+) Oz Erickson – Emerald Fund**

- He supports this ordinance and believes it is reasonable.

**(-) Joe O'Donaghue**

- There are some good ideas in the legislation but it is not going to work because they haven't followed the equation right through.

**(-) Sue Hestor**

- She would like to add language to this ordinance regarding sub-divided lots.

- There is no effective monitoring process to deal with subdivision of lots in San Francisco.

- Language needs to be added in the beginning.

**(-) Alice Barkley**

- There are a lot of drafting problems with this ordinance that have to be sorted out.

**(+) Carlos Romero – Mission Housing Development Corporation**

- This legislation is a compromise.

- He has learned a lot from the developers who contributed to this legislation.

- The planning Commission should send it forward.

**(-) John Bardis**

- He believes that this legislation has significant omissions.

**ACTION:** Meeting held. President Chinchilla deferred the matter to February 14, 2002.

11. 2001.1026C (RYAN: 558-6812)  
1239 9<sup>TH</sup> AVENUE - west side between Lincoln Way and Irving Street; Assessor's Block 1714, Lot 6 - Request for Conditional Use Authorization pursuant to Planning Code Section 730.44 to convert a vacant video store on the ground floor of a two-story building with a dwelling unit above, to a small self-service restaurant (Gordo's Taqueria) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. The restaurant, which is relocating from 1233 9th Avenue, will occupy approximately 990 square feet at the ground level only.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Meeting of January 24, 2002)

**SPEAKER(S):****(+) Edward Tanaka – Architect**

- This restaurant has been a part of the inner Sunset Neighborhood for 18 years.

- The owner wishes to provide a restaurant similar in character.

- He hopes that the Commission will approve this project.

**(+) Many Hernandez**

- The lease for the old location will be expiring. This is why he would like this proposal approved so he can open the other restaurant.

**ACTION:** Approved with modifications: 1) delete condition No. 5 related to the NSR (Notice of Special Restrictions); 2) staff to put in a block book notation requiring neighborhood notice on the vacated property; 3) require a staff-initiated Discretionary Review on any building permit for a restaurant at the old location; 4) apply good neighbor policies that requires street cleaning/steam cleaning.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16339

12. 2000.1141C (SANCHEZ: 558-6679)  
2346 - 2348 CLEMENT STREET - north side between 24<sup>th</sup> and 25<sup>th</sup> Avenues, Lot 025 in Assessor's Block 1409 - Request for Conditional Use authorization under Planning Code Section 717.39 to allow the demolition of an existing mixed-use building with a residential unit at the second floor and under Planning Code Section 161(j) to allow the construction of a four-story mixed-use building (four residential units and one commercial unit) without



the four required residential parking spaces, within the Outer Clement Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

(Continued from Regular Meeting of January 24, 2002)

**SPEAKER(S):**

**(+) David Silverman – Reuben and Alter**

- The façade will remain the same and commercial space will be reconstructed.

- There have been 3 issues brought up: 1) parking; 2) retention of the 4<sup>th</sup> floor; 3) retention of the produce market next door.

**(-) Spiros Johnson**

- He is speaking on behalf of the residents and merchants.

- He has owned the produce market next door for almost 10 years.

- Parking on this street is already bad.

- He has spoken to various residents and none have said that this is a good idea.

**(-) Sue Hestor**

- The Health Department will close down the produce market if there is any type of dust or dirt on the produce.

- A barrier should be installed to protect the owner of the produce market.

- The project sponsor should deal with all the questions and issues the owner of the produce market has to protect his business.

**(+/-) Charles Hoffman**

- He is a resident and shops at the local businesses.

- He hopes that this project gets approved but only with three units which would reduce the impact on the local parking.

**(-) Janette Koder**

- She opposes this project.

**ACTION:** Approve Project with Conditions: 1) remove the 4<sup>th</sup> floor; 2) provide construction barriers/screening to protect produce at next-door produce market.

**AYES:** Chinchilla, Joe, Salinas, Theoharis

**ABSENT:** Fay

**NAYES:** Baltimore and Lim

**MOTION:** 16340

13. 2002.00511 (YOUNG: 558-6346)

**REVISION TO THE INSTITUTIONAL MASTER PLAN FOR THE UNIVERSITY OF SAN FRANCISCO LOCATED AT 2130 FULTON STREET** - Consideration of revisions amending the Institutional Master Plan for the University of San Francisco. Pursuant to Planning Code Section 304.5(d), a public hearing will be held to solicit public comment on any proposed revision to an Institutional Master Plan. The University of San Francisco is proposing revisions to its existing Institutional Master Plan dated July 1993, including to incorporate plans to (1) convert the former Lincoln University Building at 281 Masonic Street to the University of San Francisco College of Professional Studies (This renovation has been completed.); (2) convert and expand the McLaren School of Business, including an addition of approximately 20,000 square feet and conversion of existing dormitory space to new offices and classrooms, and (3) locate childcare facilities within its existing buildings. The purpose of this public hearing is to solicit public comments on the proposed revisions to this Institutional Master Plan only. The Planning Commission will not approve or disapprove any individual construction projects related to these revisions to the Institutional Master Plan at this public hearing.



SPEAKER(S):

(+) **Father Bob Nehoff**

- The purpose of this institutional master plan is to improve the campus environment and improve facilities. The University has greatly improved the central open space of the campus by adding landscaping and relocating parking. It created a new housing opportunity for students and staff, approximately 110 beds of student housing, a rehabilitated leased facility, a new Jesuit residence at Lone mountain and 136 units of faculty and staff housing which will be completed shortly.

- The most important of these improvements is the proposal to improve and expand the School of Business and Management.

ACTION: Meeting held to solicit public comment. No action taken

- 14a. 2001.1136CD (M.SNYDER: 575-6891)  
221 SAN CARLOS STREET - east side between 19th and 20th Street, Lot 34 in Assessor's Block 3596 - Request for Conditional Use authorization under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) to construct a new building containing two market-rate dwelling units on a vacant lot in an RH-2 (House, Two-family) District, and a 50-X Height and Bulk District. The proposed building would be four stories tall and approximately 40-feet tall and 48.5-feet deep. The proposed units would each have two bedrooms and one parking space.  
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Ron Wallis – Principal of Mark Wallis Architects**

- This is a very good project and he hopes that the Commission will approve it.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

MOTION: 16341

- 14b. 2001.1136CD (M.SNYDER: 575-6891)  
221 SAN CARLOS STREET - east side between 19th and 20th Street, Lot 34 in Assessor's Block 3596 - Mandatory Discretionary Review under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) of Building Permit Application No. 2000/08/07/7166, which proposes to change the use of the site from being vacant to having two market-rate units. The property is within an RH-2 (House, Two-family) District and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): Same as those listed in item 14a.

ACTION: Did not take Discretionary Review and approved the project as proposed.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

- 15a. 2001.0671ECDK (CHAN: 558-5982)  
222 VALENCIA STREET - Block 3533, Lot 4. Appeal of Preliminary Negative Declaration. The proposed project includes the construction of nine residential units, approximately 800 square feet (sq.ft.) of ground floor commercial space, and nine off-street parking spaces within a new five-story structure. The site is a fenced private parking lot for approximately 13 cars. A 780-square-foot warehouse is on this 4,590-square-foot site. The new building would be approximately 50 feet in height. Vehicular access to the site would be from Valencia Street. The project site is located within the C-M (Heavy Commercial) zoning district and within a 50-X Height and Bulk district.  
 Preliminary Recommendation: Uphold Negative Declaration.

SPEAKER(S):

(+) **David Silverman – Reuben & Alter**

- This project meets the requirements of CEQA.

- He hopes that the Commission will approve this project.

ACTION: Preliminary Negative Declaration is upheld

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

MOTION: 16342

- 15b. 2001.0671ECDK (SIDER: 558-6697)  
222 VALENCIA STREET - west side between Duboce Avenue and Clinton Park; Lot 004 in Assessor's Block 3533 - Request for Conditional Use Authorization to allow [1] the construction of nine dwelling units pursuant to Planning Code Section 215(a) and [2] the creation of market-rate housing in the Mission District pursuant to Board of Supervisor's Resolution Number 518-01 (Mission District Interim Controls). The proposal is to demolish an existing storage structure and construct a five-story building with ground level commercial space, 9 units of housing, and 9 parking spaces in a ground level garage. The property is within a C-M (Heavy Commercial) Zoning District, a Mixed-Use Housing Zone, the area subject to the Mission District Interim Controls, and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) **David Silverman – Reuben and Alter**

- The project will preserve the neighborhood character.

- This project is also fully code compliant.

(+) **Joe O'Donaghue**

- He supports the project but respectfully disagrees with the setback.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

MOTION: 16343

- 15c. 2000.0671ECDK (SIDER: 558-6697)  
222 VALENCIA STREET - west side between Duboce Avenue and Clinton Park; Lot 004 in Assessor's Block 3533 - Mandatory Discretionary Review of a proposal to change the use of the subject property from that of parking and storage [pursuant to Planning Code Sections 223(l) and 225(a)] to residential and retail uses [pursuant to Planning Code Sections 215(a) and 218(b)]. Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any change of use within the Mission District. The property is within a C-M (Heavy Commercial) Zoning District, a Mixed-Use Housing Zone, the area subject to the Mission District Interim Controls, and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Do not take D.R. and approve the project as proposed.

SPEAKER(S): None

ACTION: Did not take Discretionary Review. Approved the project as proposed.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

## E. DISCRETIONARY REVIEW HEARING

At Approximately **8:05 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

16. 2001.0695D (SMITH: 558-6322)  
4706 – 25<sup>TH</sup> STREET -north side of the street between Fountain Street and Grand View Avenue, Lot 016 in Assessor's Block 6501 - Request for Discretionary Review of Building Permit Application No. 2000/09/11/0170, proposing to construct a two-story rear horizontal addition and a one-story vertical addition to a single-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve with modifications.

## SPEAKER(S):

(-) **Ruth Marion Anderson**

- She is against this construction because it is too massive and it is not in keeping with the neighborhood.

- Her other concern is related to light being diminished.

(-) **Paula Olacker**

- This structure will affect the sun and light that comes into her unit.

- If this project is approved it will mean that from a window in her house she will be looking into a wall that blocks light into the room.

- It will also affect the value of her property.

- This will change the character of the neighborhood.

- This is a detriment to the neighborhood.

(-) **Jeff Iarello**

- He is concerned about the value of his property.

- He is also concerned about the light and air that the neighborhood has.

- He would like the addition to be flush to the back of his house.

(-) **Cathy (did not state last name)**

- This project will affect her light and space tremendously.

(+)**James Woods**

- The proposed addition at the back would not affect the sky lights of the neighbors.

- He has always been prepared to solve the issues of his neighbors.

- He has neighbors who have signed documents supporting his project.

- He has a large family that comes to visit frequently and that is why he would like to add a 4<sup>th</sup> bedroom and because there are already three people living in the house.

- He hopes that the Commission will approve the project.

(+)**Ellen Woods**

- They purchased this home with the intention of it being their retirement home.

- She hopes that the Commission approves their application.

**ACTION:** Take Discretionary Review and approve with the following modifications from staff: 1. The proposed rear addition shall be set back three feet from the east side property line to accommodate the Discretionary Review requestors property line windows. 2. The top of the peak at the rear of the building shall be reduced in height to align with the height of the proposed peak at the front of the building and one 8' X 8' dormer shall be allowed at either side of the peak at the rear of the building to increase interior volume. The dormers allowed shall be as described in Planning Department Bulletin 96.2, dated June 1, 1996.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

17. 2001.1053D (JONES: 558-6477)  
780-27<sup>TH</sup> STREET -north side of 27th Street between Douglass and Diamond Streets, Lot 014A in Assessor's Block 6583 - Request for Discretionary Review of Building Permit Application No. 2001/06/11/1266, proposing to construct a third story vertical addition to the existing two story, single-family dwelling, located in a RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: ~~Do not take Discretionary Review and approve the building permit as submitted.~~ Take Discretionary Review and Approve the building with the recommended modifications.

SPEAKER(S):

**(-) Patrick Richards – Representing DR Requestor**

- He hopes that the Commission will look at the compromise and why it is a good idea.
- The proposed home is just too bulky.
- The project sponsor is not a homeowner who wants to make an addition to his home, it is a developer who is making this big project at the cost of his neighbors.
- This project will also block the light and air on an open space that already exists.

**(-) Bruce Bonacker – architect for DR requestor**

- The project sponsor's building is already large. This addition will make the building the largest in the neighborhood.
- On the first floor, we are proposing an alternative that pulls the rear of the building back 7 feet while maintaining the two bedrooms at the same dimensions.
- At the top floor, we would suggest pulling the master bedroom suite forward or south on the property so that it still maintains the design review guideline recommended 9 foot setback from the street.
- He is available for questions on the alternative proposal.

**(-) Stan Padilla**

- He and his wife live near the proposed construction.
- One of the issues important to him is that there has usually been a neighborhood spirit of inclusion and involvement that didn't happen here.
- He is concerned that the neighbors did not get an opportunity to discuss issues related to the proposed construction.
- He is also concerned that this project is not to benefit a family who will live there; this is a developer who will expand on this site (and leave).
- He is impacted by the size of this project.

**(-) Jed Davies**

- He lives on Douglass Street.
- They moved to this house because of the character of the neighborhood.
- This proposed extension of 25 feet is inappropriate and unfair. It goes all the way across his property.
- This project will encase his property.
- He is only asking the Commission to direct the project sponsor to reduce the rear extension and reduce the third story roof.

**(-) Vicky Rosen – President of Upper Noe Neighbors**

- She does not live near the proposed project yet she is concerned with the huge homes that are being built near smaller homes.
- It is really important to do the right thing and scale down the project a little bit.

**(+) John Hood – Project Architect – Hood Architects**

- This project is in keeping with the general fabric of the neighborhood.
- His design is to mass the building towards the middle of the house in order to minimize the impact on the rear and from the front.
- Setting back the third floor from the street is meeting the guideline of maintaining scale from pedestrian level.
- He would like to have this project approved with recommendations from staff by reducing the height of the gable by 4 feet.

**(+) Randy Cooper**

- He has lived in this neighborhood for many years.
- He is not a developer.
- He has fixed up 5 homes in this neighborhood over a 15 year period and has lived in the homes over a period of 3 years each.
- His design will be compatible with the neighborhood.
- He is currently in a rental home.



**ACTION:** Take Discretionary Review and approve with modifications based on the recommendations offered by the DR requestor's architect. The Zoning Administrator added to those recommendations by modifying the DR requestor's proposal as follows: 1) on the first floor a five foot extension behind the east bedroom; 2) on the second floor a five foot extension behind the eastern portion of family room; and 3) a three foot extension on the third floor to the rear. The Planning Commission declined to modify the height of the building from that proposed by the Project Sponsor

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

#### **F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: 9:20 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 21, 2002**

**ACTION:** Approved as Corrected

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay





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2/14/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, February 14, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

MAR 11 2002

**PRESENT:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Baltimore

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**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:40 p.m.**

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner-Zoning Administrator; Amit Ghosh; Paul Lord; Sara Vellve; Pedro Arce; Jeffrey Tully; Geoffrey Nelson; Rick Crawford; Craig Nikitas; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.1083D (TAM: 558-6325)  
200-202 FAIR OAKS STREET - southwest corner of Fair Oaks and 23rd Street; Lot 1 in Assessor's Block 3648 - Staff-initiated Discretionary Review request for Building Permit No. 2001/09/05/7610 to reduce the total number of legal dwelling units on the subject property, from 3 to 2 units. The property is a designated City Landmark (The Oakley Residence and Flats, Landmark No. 191) and is located in the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Disapproval  
**(Proposed for Continuance to February 21, 2002)**

**SPEAKER(S):** None  
**ACTION:** Continued to February 21, 2002  
**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Baltimore



2. 2001.1091C (SIROIS: 558-6313)  
1795 – 38<sup>TH</sup> AVENUE (AKA 3126 NORIEGA STREET - west side of 38<sup>th</sup> Avenue between Noriega and Moraga Streets, Lot 016, Assessor's Block 2011 - Request for Conditional Use Authorization by Verizon Wireless to install a telecommunications facility pursuant to Planning Code Section 710.83, which includes the installation of 12 panel antennas, one GPS antenna and associated equipment cabinets in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The subject site is a preference 6 location (NC-1 District) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.  
Preliminary Recommendation: Pending  
**(Proposed for Continuance to March 7, 2002)**

SPEAKER(S): None

ACTION: Continued to March 7, 2002

AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Baltimore

3. 2001.1015D (MASSEHIAN: 558-6363)  
1264 FUNSTON AVENUE - east side between Irving Street and Lincoln Way, Lot 030 in Assessor's Block 1738 - Request for Discretionary Review of Building Permit Application No. 2001/06/28/2582 proposing to add a dwelling unit and construct a single-story vertical addition and a three-story rear addition to the existing two-story, single-family building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications  
**DISCRETIONARY REVIEW WITHDRAWN**

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Commission Matters

**Commissioner Theoharis:** There was a newspaper article in the San Francisco Independent regarding her intentions to resign. She feels that because of the article she has no choice but to answer Supervisor McGoldrick's concerns. At the time she made the announcement, she was concerned about her health. What has changed? Her health problems have gotten better. Also, she is no longer president so there is much less stress in her life. Another reason she decided to stay at the Commission is because when she made the announcement, there were so many phone calls and letters that were concerned about her leaving the Commission. Articles like this can hurt many people.

**Commissioner Chinchilla:** He is glad that Commissioner Theoharis has decided to stay on the Commission. He agrees with Commissioner Theoharis that articles like this hurt many people and are quite irresponsible.

## **C. DIRECTOR'S REPORT**

5. Director's Announcements





*Re: Community Workshops*

- On February 12, 2002, the second of a long series of community workshops was held at the ODC Theatre. The Department as well as the community met regarding Mission District Interim Controls and the future zoning of the district.

- On February 13, there was a unique public session on the scoping of the Stonestown EIR. Supervisor Hall assisted in putting together a meeting place and time. The community met to discuss their desires to ensure that certain aspects were included in the environmental review process. This is actually the first of its kind.

- On February 20, 2002, there will be another workshop in the South of Market area. The Arc of Refuge was the location for the meeting but there is some problem with handicap access so the alternate location is the Recreation Center and as soon as information is final, the Department will announce it.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**

*Re: Transportation and Commerce Committee*

This morning, the Planning Director met before the Transportation and Commerce Committee to discuss the progress of the Planning Department. Staff planner, Paul Lord, was also there to represent the Commission regarding actions which were authored by Supervisor's Peskin and Leno and which would result in a prohibition on video signs and rotating signs.

*Re: Better Neighborhoods 2002*

- March 14, 2002 is the target date for the Better Neighborhoods 2002 – Ocean Avenue/Balboa and Phelan Loop presentation.

**BOA - None**

**D. REGULAR CALENDAR**

***Called out of Order – Followed Item 13***

7. Consideration of adoption amendments to the existing Planning Commission Inclusionary Housing Policies  
(Continued from Regular Meeting of February 7, 2002)  
**NOTE: On February 7, 2002, following public testimony, the Commission closed public hearing and continued the matter to February 14, 2002 for final action. Public hearing will remain open on any new recommendations for approval.**

**SPEAKER(S):****(-) Bill Poland**

- He will not be in town next week.

- The Leno Legislation does not work for the rental projects his company intends to build.

- He hopes that the Commission will reduce to 12%. The 14% does not work, in his opinion.

**ACTION:** Continued to February 21, 2002

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

8. 2000.749T (LORD: 558-6311)  
Consideration of adoption recommendations for an Ordinance amending the San Francisco Planning Code to add Section 315 to 315.9 to establish requirements for all residential developments of 10 units or more to provide inclusionary affordable housing units.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of February 7, 2002)



**SPEAKER(S):**

**(-) Joe O'Donaghue – Residential Builders**

- He considers this legislation to hide the wrinkles
- This proposal is flawed.
- With all due respect to the Department, this analysis needs to be done on a dollar per dollar, cost for cost proforma because banks are not going to take the risk.

**(-) Sean Keighran– Residential Builders**

- He is a small developer.
- Small developers are not allowed the luxury of hiring contractors to build their projects for them. They are forced to build their projects with their own hands.
- The lenders will not allow them to draw wages for their efforts. Small builders end up paying the highest price per unit for the land.

**(-) Denis Carlin – Residential Builders**

- He is a small contractor.
- He urges the Commission not to approve this legislation since it is not beneficial for him and small builders.

**(-) Richie Hart – Residential Builders**

- He is a small builder.
- This legislation will stop their project since they will not be able to afford to build.
- This legislation is flawed.

**(-) Charles Richards**

- He is a resident, a title insurer and an underwriter.
- There is risk if this legislation passes since loan agents really look at the applications of requestors.

**(-) Kieran Buckley – Residential Builders**

- He is a small business builder.
- This legislation will put him out of business as a small contractor.

**(-) Robert Mellett – Residential Builders**

- He read a letter from a person who could not attend the Commission who is against this legislation.

**(-) Angus McCarthy – Residential Builders**

- He is also a small builder.
- Most of the builders have lived in the City for many years and know it quite well.
- He will have to leave this City if this legislation passes.

**(-) Joe Cassidy – Residential Builders**

- He is a small builder.
- He has been building for about 25 years.
- He is against this legislation.

**(-) Donna Crowder**

- She is a realtor for Pacific Union Real Estate, and Director of the San Francisco and California Association of Realtors.
- She urges the Commission to encourage and not discourage more home building and rental housing.

**(-) John Bardis**

- This legislation will discourage the construction of housing and market rate housing in the City.
- It will drive out people who can build housing.
- The downtown developers shouldn't even have these requirements.
- We should not burden the market concept with this legislation.
- He hopes that the Commission will recommend to the Board of Supervisors not to pass this legislation.

**ACTION:** Motion to Approve

**AYES:** Joe, Lim, Salinas

**NAYES:** Fay, Theoharis, Chinchilla

**ABSENT:** Baltimore





**RESULT:** The motion failed to carry on a tie vote. A substitute motion was not made. The legislation will be forwarded back to the Board of Supervisors without a Commission recommendation

**Called out of Order – followed item 6**

9. 2001.1129T (LORD: 558-6311)  
SCHOOL SHADOWS - Consideration of adoption recommendations for an ordinance adding Section 296 to the Planning Code to review all building permit applications for new structures which will cast shade or shadow upon the site of a public or private elementary or secondary school.  
 Preliminary Recommendation: Approval with modifications.

**SPEAKER(S):**

**(-) Jim Chappell – President of SPUR**

- This seems to be a down zoning measure masquerading as an environmental measure.
- This is not a small thing. This is a massive change to the Planning code. He finds it anti-housing and anti-schools.
- If this proceeds, it should have an EIR.
- This will also have an impact on housing production.
- This will affect where schools will be needed.

**(-) Joe O'Donaghue – Residential Builders**

- He has never seen a problem with shadows on schools in the City.
- This will impact housing projects and density problems.
- He believes that this needs to have further examination.

**(-) Steve Vettel – Morrison and Forrester**

- He believes that this legislation does not do the public good.
- If this legislation does go through, it needs amendments.

**(-) Bob Passmore**

- He is in agreement with everything that everyone has said.
- This legislation will cause problems with housing in the City.

**ACTION:** Public Hearing Closed. Continued to February 21, 2002

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

**Called out of Order – Followed item 9.**

10. 2001.0927C (VELLVE: 558-6263)  
1515-1541 - 19<sup>th</sup> AVENUE - west side, between Kirkham and Lawton Streets, Lot 004, Assessor's Block 1865 - Request for Conditional Use Authorization pursuant to Section 209.6(b) of the Planning Code to install three (3) panel antennas and related equipment as part of Sprint PCS's wireless telecommunications network on a publicly-used structure (a telephone switching station) within a RH-2 (House, Two-Family) Zoning District, and a 40-X Height and Bulk District. The proposal is a Preference Location 1.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Meeting of January 24, 2002)

**SPEAKER(S):**

**(+) Jenny Estes – Representing Sprint PCS**

- This is a preference 1 site.
- There were community meetings held and only a total of three people attended. They are currently trying to deal with the issues these people have.

**ACTION:** Approved

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore



MOTION No: 16344

**Called out of Order – Followed item 10.**

11. 2001.1151TT (ARCE: 558-5986)  
YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, 220 JESSIE STREET AND 606 FOLSOM STREET - Request under Planning Code Sections 302 and 340 for determination of consistency with the General Plan and with Section 101.1 of the Planning Code of a proposal to amend the General Plan Text and related Planning Code Text that will allow the transfer of development rights from properties of historical and/or architectural significance located within the Yerba Buena Center Redevelopment Project Area within underlying C-3-R (Downtown Retail) District or Districts designated by the Redevelopment Plan as C-3-O (SD) (Downtown Office Special Development) Districts, the "Transfer Lots" to "Development Lots" located in C-3-O (Downtown Office) District. The proposed General Plan Text Amendment would modify the language in Key Implementing Action II of Objective 12 of the Downtown Element of the General Plan. The Text Amendment to the General Plan would amend Section 128 (c)(1) of the Planning Code, which regulates the Transfer of Development Rights in C-3 (Downtown Commercial) Districts, to allow the transfer of TDR's described above. The Office of Environmental Review has issued a General Rule of Exclusion, Case 01.1151E, in which the adoption of findings of consistency for the proposed General Plan Text Amendment and related Planning Code Text Amendments have been determined not to result in any significant environmental impacts since the limited nature of (1) the Text Amendment itself will have no environmental effect and (2) any project proposing to use TDR's on a Development Lot will be subject to separate CEQA review.  
Preliminary Recommendation: Adoption

SPEAKER(S):

**(+) Bob Meyers – City Planning Consultant**

- This is an excellent proposal and he supports it.

ACTION: Approved

AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Baltimore

MOTION No: 16345

12. (TULLY: 558-6372)  
NORTH MISSION AREA CULTURAL RESOURCE SURVEY - Informational presentation by Planning Department staff. The North Mission Survey Area is bounded by Dolores to the west, Mission, Natoma and Capp Streets to the east, Duboce Avenue to the north and 16th Street to the south and includes portions of the following Blocks: 3532, 3533, 3534, 3535, 3544, 3545, 3546, 3547, 3548, 3553, 3554, 3555, 3556, 3557, 3567, 3568, 3569 and 3570. The North Mission Area Cultural Resource Survey, which is currently underway, is the second phase of a multi-year effort to document resources found in neighborhoods throughout San Francisco through the Planning Department's Citywide Cultural Resource Survey Program.  
Preliminary Recommendation: No Action Required, informational presentation only.

SPEAKER(S): None

ACTION: Public Hearing held. No Action Required

13. 2001.0926C (NELSON: 558-6257)  
417-31<sup>ST</sup> AVENUE (LINCOLN PARK PRESBYTERIAN CHURCH) - southwest corner of 31<sup>st</sup> Avenue and Clement Street, Lot 001, Assessor's Block 1463 - Request for Conditional Use Authorization by Sprint PCS to install a telecommunications facility pursuant to Planning Code Section 710.83, which includes the installation of 3 panel antennas on the belfry, and associated equipment cabinets in the belfry and at the street





level of an existing church in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The subject site is a preference 1 location (publicly-used structure) according to the *Wireless Telecommunications Services (WTS) Siting Guidelines, 1996*.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

**(+) Jenny Estes – Representing Sprint PCS**

- This site is a preference 1 location since it meets all the requirements.
- The design is quite compatible and visually non-intrusive.
- This site will serve an area that has no service.
- Lincoln Presbyterian Church sent out questionnaire cards to their neighbors regarding the intent to install the antennas and there were no comments back.
- Sprint also held community meetings and 8 people attended. The majority of the attendees were members of the church who support the installation.

**(-) Minako Sakurai**

- She has lived across from this church for many years.
- Her concerns are related to the health affects these antennas will cause to the elderly and children living near the site.
- The antennas are not in an adequate place in the neighborhood.
- She has collected signatures of people who oppose the antenna installation.

ACTION: Approved

AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Baltimore

MOTION: 16346

## E. DISCRETIONARY REVIEW HEARING

At Approximately **5:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

- 14      2001.1071D      (CRAWFORD: 558-6358)  
51-55 VICKSBURG STREET - east side between 22<sup>nd</sup> and 23<sup>rd</sup> Streets, Assessor's Block 3628 Lot 023A - Staff initiated request for Discretionary Review of Building Permit Application 2001/1102/2416, to convert a 3 unit building to a 1 unit building (merge three dwelling units into one) in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk district.

Preliminary Recommendation: Take Discretionary Review; approve the merger of two units and require the maintenance of the remaining unit.

SPEAKER(S):

**(+) Ken Martin – Architect and Applicant**

- San Francisco is known for single-family houses, specifically for it's Victorian houses. The house was originally a one unit building and in the 40's it was divided into three legal units.
- The house doesn't meet current fire code.
- He will rejoin the units legally and make renovations.

**(+) Bob Lescomb – Property Owner**

- The house was built as a single-family home and he intends to use it as a single-family home. If they were to sell the house in the future, he would sell it to someone who would use it as a single-family home.
- The upper units do not have heat.
- He and his wife live and work in the City.

**(+) Zora Biadini**

- She is a neighbor and knew the prior owners who lived there 18 years.



- She knows that the family used two of the units and the third unit was rented.
- The house was built as a single-family home.
- She has a rental unit she has been trying to rent for a long time. It has been difficult to find people to rent units.

**ACTION:** Took Discretionary Review and Approved the merger of two units.

**AYES:** Chinchilla, Joe, Lim

**NAYES:** Fay, Salinas, Theoharis

**ABSENT:** Baltimore

**RESULT:** The motion failed to carry on a tie vote.

**ACTION:** Continued to February 28, 2002 to allow the absent commissioner to participate in the final action.

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

15. 2001.1093D (CRAWFORD: 558-6358)  
**881 CORBETT AVENUE** - east side at Hopkins Street. Assessor's Block 2800 Lot 010. Request for Discretionary Review of Building Permit Application 2001/0820/6472, to construct a two story vertical addition, a 14.5 foot rear addition and add a third unit to the existing 2 story 2 unit building in an RM-1 (Residential Mixed, Low Density) District, and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit.

**SPEAKER(S):**

**(-) Clover Earl – Discretionary Review Requestor**

- There are various people here who are against this project.
- She read a letter from an adjacent neighbor who is a professor in architecture at UC Berkeley. The neighbor was not able to attend because he is teaching a class but he is against this project.
- The project will be too massive and will cause impacts on various neighbors.
- She has tried at various meetings, yet the project sponsor did not seem to have any intention of solving the various issues of this project.

**(-) Steven Englander**

- He purchased his residence in 1976.
- He would like to urge the Commission to exercise its discretion and not approve the proposed project.

**(-) Michael Lan**

- He has lived on Hopkins Street for 17 years.
- There have been various 'run away' cars down the hill and gone into the proposed house.
- He is against the size and mass of this house.
- There are a lot of parking problems on the street.

**(+) Alfred Sanchez - Project Manager**

- The DR requestor requested that the project sponsor remove a floor since it would block her view. This would not be feasible for the project sponsor.
- The real estate company informed the DR requestor that the house in front of her would, at some point, build up and might block her view.
- Regarding the issue of cars running down into the garage, he designs buildings for cars to go into the garage and not through it.

**(+) Martha Miranda – Project Sponsor**

- She purchased this house to make it a home for her and her family.
- She has applied for all the permits required and followed all the rules.
- She has collected signatures of people who support her project.

**(+) Leo Calsadilla – Building Designer**

- All the homes in the neighborhood vary in height.
- The DR requestor's view will only be blocked about 12 percent.



- There are a lot of architectural features on the proposed home and the design follows the guidelines of the neighborhood.

ACTION: Did not take Discretionary Review and Approved the building permit.  
AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Baltimore

## F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

### Sue Hestor

*Re: 166 and 168 Yerba Buena Street*

- Staff scheduled a hearing date before a 311 notice went out so she is asking for a two-week continuance.
- The project has changed so massively that there will not be much time to work back and forth with the architects.

### Andrew Junius

*Re: 166 and 168 Yerba Buena Street*

- He has not been able to reach the project sponsor regarding the request for continuance from Ms. Hestor.

### Joe O'Donaghue

*Re: Continuances*

- He agrees that if there are changes being made to a project, more time is required in order for both parties to come to a resolution.

Adjournment: 6:08 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 28, 2002**

ACTION: Approved  
AYES: Baltimore, Fay, Joe, Lim, Theoharis, Salinas  
ABSENT: Chinchilla





SF  
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/21/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, February 21, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAR 11 2002

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**PRESENT:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Fay

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:45 p.m.**

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner-Zoning Administrator; Michael Li, Jamilla Vollman; Paul Lord; Amit Ghosh; Dario Jones; Tina Tam; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.0062E (CHAN: 558-5982)  
491 BAYSHORE BOULEVARD - Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21, and 28. **Appeal of Preliminary Mitigated Negative Declaration.** The proposed project would demolish the vacant buildings, totaling 107,372 square feet (sq.ft.) and construct a home improvement store (Home Depot). The main store would be two stories, approximately 129,581 sq.ft. with a 10,088-sq.-ft. enclosed green house. The proposed project also includes an 8,550-sq.-ft. outdoor-garden center. The total project size would be approximately 148,219 sq.ft. The building would be approximately 40 feet in height. A parking garage consisting of three-levels of parking totaling 550 parking spaces would also be constructed on this 5.73-acre site. Vehicular access to the parking garage would be from Bayshore Blvd., where Cortland Ave. dead-ends into Bayshore Blvd. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) and is located in a M-1 (Light Industrial) zoning district and within a 65-J height and bulk district.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of January 24, 2002)  
**(Proposed for Continuance to February 28, 2002)**



SPEAKER(S): None  
ACTION: Continued to February 28, 2002  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas  
ABSENT: Fay and Theoharis

- 2a. 1999.813ECD (SIDER: 558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Request for Conditional Use Authorization to allow the construction of dwelling units pursuant to Planning Code Section 215(a) in an M-1 (Light Industrial) Zoning District. The proposal is to demolish an existing industrial building and construct a three and four-story building containing approximately 3,000 square feet of commercial space on the ground level and 9 dwelling units on upper levels. 9 parking spaces would be provided in a ground level garage. The property is within an M-1 Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.  
**(Proposed for Continuance to March 21, 2002)**

SPEAKER(S):  
*Re: Continuance*

**(+) David Hern**

- He hopes that the Commission approves the continuance to allow for the developer to get a fair return, but also to address the concerns of the neighbors.

**(+) Rod Minott**

- He is also in favor of the continuance since he hopes that during the continued time, they will be able to reach an agreement.

**(+) Kepa Askenasy**

- She works near the proposed site. They are working on a solution to address everyone's concerns.

ACTION: Continued to March 21, 2002  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas  
ABSENT: Fay and Theoharis

- 2b. 1999.813ECD (SIDER: 558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Mandatory Discretionary Review of a proposal demolish a 3,000 square foot existing industrial building and construct a new building containing approximately 3,000 square feet of commercial space and 9 dwelling units. Planning Commission IPZ Policy (Resolution Number 16202) discourages the development of housing within an IPZ. The property is within an M-1 (Light Industrial) Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take D.R. and approve the project as proposed.  
**(Proposed for Continuance to March 21, 2002)**

SPEAKER(S): Same as those listed in item 2a.  
ACTION: Continued to March 21, 2002  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas  
ABSENT: Fay and Theoharis

3. 2001.1168D (SMITH: 558-6322)  
138 WHITNEY STREET - west side of the street between Fairmount and Randall Streets Lot 007 in Assessor's Block 6664 - Request for Discretionary Review of Building Permit Application No. 2000/12/19/8292, proposing to enlarge the existing detached garage to accommodate two cars and construct a two-story addition located partially on the roof of the garage, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.





Preliminary Recommendation: Take Discretionary Review and Disapprove the Project  
(Proposed for Continuance to April 25, 2002)

SPEAKER(S): None

ACTION: Continued to April 25, 2002

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

ABSENT: Fay and Theoharis

4. 1999.598D (CHIN: 575-6897)  
135 JORDAN AVENUE - west side of the street between Geary Blvd. and Euclid Street, Lot 008 in Assessor's Block 1062 - Request for Discretionary Review of Building Permit Application No. 9905431, proposing to add a new story and approximately 75 square feet to the basement and second floor at the rear side of the building on a single-family dwelling, located in a RH-1 (D) (Residential, Detached, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of February 7, 2002)  
**DISCRETIONARY REVIEW WITHDRAWN**

SPEAKER(S): None

ACTION: None – the Discretionary Review Request was Withdrawn

## B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes of February 7, 2002.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

ABSENT: Fay and Theoharis

6. Commission Matters

**Commissioner Salinas:** He would like to get a clarification from staff regarding public comment last week. He is under the impression that Public Comment is not the place to speak about continuances.

## C. DIRECTOR'S REPORT

7. Director's Announcements

*Re: Commissioner Salinas' Concern*

The matter that was discussed under last week's Public Comment category was a follow-up to a written request for a continuance that was made prior to that hearing. The appropriate way to ask for a continuance is to provide a written request in advance so that the matter can be placed on the calendar as an item proposed for continuance to a date that staff and all parties involved have agreed to.

*Re: Work Program and Budget for Fiscal Year 2002-2003*

- This matter will be discussed during the hearing of February 28, 2002.

- This document (he held up the document) will be placed in Commissioner's packets for next week's hearing.

*Re: Community Planning Workshops*

- Last night, the Department held the third in a series of five introductory workshops in the South of Market community plan area.



- Mayor Brown attended and the Planning staff co-facilitated with Supervisor Daly.
- It was a very successful event.
- The next date to meet regarding South of Market will be April 6, 2002 at the South of Market Recreation Center.
- Tonight will be the fourth in the series of five community workshops. This one will be held in the Bay View.
- This workshop will be unique because it will be a part of the Redevelopment process working hand in hand with the Bay View PAC.
- The last of these workshops will be in Visitation Valley.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS – None

BOA

*Re: 240 San Fernando Drive*

- This was a Discretionary Review for an addition of a third story.
- The Planning Commission took Discretionary Review to modify the design.
- The building's redesign was appealed to the Board of Appeals -- they upheld the Commission +5 -0.

*Re: 50 Mason Street*

- This item was not before the Commission but is important to mention.
- There was a complaint that someone was doing work without a permit, it appeared to be some kind of adult oriented entertainment. The owner came in to get a permit for an adult bookstore. This was not approved. Then the owner came in to get a permit for retail apparel, and because this is a permitted use, the permit was approved. Apparently this turned out to be an establishment for modeling negligee. The permit was suspended. The suspension of the permit was upheld by the Board of Appeals +5 -0.

## D. REGULAR CALENDAR

9. 2001.1173C (LI: 558-6396)  
637-639 VALLEJO STREET - southeast corner at Stockton Street; Lot 016 in Assessor's Block 0146 - Request for Conditional Use Authorization to establish a full-service restaurant of approximately 1,700 square feet within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is to allow Caff  Sempione to occupy a vacant commercial space previously occupied by another full-service restaurant (Kamal Palace). There will be no physical expansion of the existing building.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+)Janie Angeleri – Project Sponsor**

- She and her husband have been a part of the community for many years.
- They decided to start their own business.
- They will improve the block with renovations to the building.
- She hopes that the Commission will approve the application.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

ABSENT: Fay and Theoharis

MOTION: 16347

10. 2001.0954C (J.VOLLMANN: 558-6612)  
420 - 29<sup>TH</sup> AVENUE - east side between Clement Street and Geary Boulevard, Lot 015 in Assessor's Block 1460 - Request for Conditional Use Authorization pursuant to Planning Code Section 209.3(f) to provide a child-care facility for 13 or more children. The project



proposes to provide child-care for up to 24 children within St. Peter's Episcopal Church, which currently provides child-care for 12 children. The project site is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+) Father David Rickey**

- The drop off situation is addressed by a double length white strip as well as the timing of the children's arrival and departure will have little impact on the street.

**(+) Ron Miguel**

- This is a very long and established church in the neighborhood.

- He is pleased that the church wants to expand.

- He hopes that the Commission will approve this project.

**ACTION:** Approved with the following condition: a staff person will be required to be stationed out front during drop off and pick up to ensure that there is no double parking.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas

**ABSENT:** Fay and Theoharis

**MOTION:** 16348

11. 2001.1129T (LORD: 558-6311)  
**SCHOOL SHADOWS** - Consideration of adoption of recommendations for an ordinance adding Section 296 to the Planning Code to review all building permit applications for new structures which will cast shade or shadow upon the site of a public or private elementary or secondary school.  
Preliminary Recommendation: Approval with modifications.  
(Continued from Regular Meeting of February 14, 2002)

SPEAKER(S):

**(+) Bill Barns**

- It is Supervisor Daly's intent to balance the concerns from groups in the community with groups who want to build market-rate housing, affordable housing and other uses.

- It is his hope that this legislation will require staff review prior to projects moving far along in the pipeline so that the concerns can be mitigated.

- He submitted a letter of support from the San Francisco Green School Yards Alliance.

**(-) Bob Passmore**

- The modifications submitted today have improved the legislation.

- He still believes that this is a superfluous piece of legislation.

- All new schools would have to go through the normal review process (that included shadow review).

**(-) Joe O'Donoghue**

- This piece of legislation is still very paradoxical.

- Shadow studies are expensive.

- This legislation should not proceed until an analysis is done on what public harm or what public good this will do.

**(-) Phillip Smith – Director of Real Estate, San Francisco Unified School District**

- The School District would like to be able to give their opinion on this. They would like to do an analysis, and would like to be allowed to comment on it.

- It would be nice to have some dialogue with the DCA as well as others involved in this.

**(-) Tim Tosta – Steffel, Levitt and Weiss**

- As a person who has had an on-going battle with skin cancer for over ten years, you should consider the real danger in exposing children to (direct) sunlight.

**ACTION:** Disapproved

**AYES:** Baltimore, Chinchilla, Joe, Salinas, Theoharis

**NAYES:** Lim

**ABSENT:** Fay





RESOLUTION: 16349

12.

(GHOSH: 558-6275)

Consideration of adoption of amendments to the existing Planning Commission Inclusionary Housing Policies

(Continued from Regular Meeting of February 14, 2002)

**NOTE: On February 7, 2002, following public testimony, the Commission closed public hearing and continued the matter to February 14, 2002 for final action. Public hearing will remain open on any new recommendations for approval.**

SPEAKER(S):

**(-) Tim Tosta – Steffel, Levitt and Weiss**

- He ran a comparison of a rental project.
- Fourteen percent will always be more than 12 percent.

**(-) Steve Vettel – Morrison and Forrester**

- The owner occupied imposition at 14 percent does not work.
- The rental project at 14 percent seems to be ok.
- The ownership units should be at 12 percent at 100 percent of median income.
- What the department is proposing is significantly more burdensome to developers.

**(-) Rev. Arnold Townsend**

- He would rather have percentages dropped.
- Staff still states a preference for on site.
- He would rather see no preference and let the Commission decide on each proposal without staff coming in with the preference.

**(-) Bob Meyers**

- He is here to speak for Bill Poland, who could not attend the hearing.
- Mr. Poland supports the needs of affordable housing and would like to commend staff in developing these policies. These policies and the proposal heard last week are very well intentioned yet his project cannot meet the level of affordability.

**(-) Joe O'Donaghue**

- Conditional Uses are a deterrent
- This needs to be looked at more closely.

**(-) John Bardis**

- This City does not need something more complex.
- It's better that the City focuses on building affordable housing.
- He hopes that the Commission will let the policy stand as it is.

**(-) Bob Passmore**

- He does not understand the economics of this or whether this policy will work or not. But given what Dr. Ghosh said several weeks ago about the type of housing that is being built, there should be a policy that would require affordable housing across the board.
- He is concerned that the risk factor for a developer has not been taken into consideration.
- There is very little incentive here for developers.

ACTION:

Approved with the following modifications: The policy applies to all projects with 10 or more units with the following requirements:

*Rental*

As-of-Right: 10% inclusionary requirement at 60 % of Area Median Income (AMI)

CU or Section 309: 12% at a rotating basis of 80%, 100%, 120% of AMI (See explanation of rotating basis on page 8 of the resolution.)

*Owner-Occupied (Condo)*

As-of-Right: 10% at a rotating basis of 80%, 100%, 120% of AMI

CU or Section 309: 12% at a rotating basis of 80%, 100%, 120% of AMI

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

ABSENT: Fay and Theoharis



MOTION: 16350

**E. DISCRETIONARY REVIEW HEARING**

At Approximately **4:08 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

13. 2001.1013D (JONES 558-6477)  
451 OAK PARK DRIVE - west side of Oak Park Drive between Devonshire Way and Christopher Drive , Lot 022 in Assessor's Block 2677 - Request for Discretionary Review of Building Permit Application No. 2001/07/26/4641, proposing to construct a third story vertical addition to the existing two story, single-family dwelling, located in a RH-1 (D) (Residential, Detached, Single-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted

SPEAKER(S): None

ACTION: This property was not legally posted. Therefore the matter is not before the Commission at this time. The item will be re-calendared for a future hearing.

14. 2001.1083D (TAM: 558-6325)  
200-202 FAIR OAKS STREET - southwest corner of Fair Oaks and 23rd Street; Lot 1 in Assessor's Block 3648 - Staff-initiated Discretionary Review request for Building Permit No. 2001/09/05/7610 to reduce the total number of legal dwelling units on the subject property, from 3 to 2 units. The property is a designated City Landmark (The Oakley Residence and Flats, Landmark No. 191) and is located in the RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Disapproval  
(Continued from Regular Meeting of February 14, 2002)

SPEAKER(S):

**(+) Kim Stryke – Project Sponsor**

- She and her husband live in this property.
- Although this property is a landmark, they would like to merge it since they have been restoring it for many years.
- There has been a constant turnover of renters in the units. The units are quite small and tenants end up moving because of that.
- She has been doing some research and found out there is no history on file related to permits for the units and/or for a kitchen.
- She would like the Commission to approve the project so it can go back to its original configuration.

**(+) Ted Loewenberg**

- He is a friend of the family but also is a member of the Victorian Alliance.
- The project sponsor wants to preserve the character of the neighborhood.
- Although it appears that there is one unit being taken off the market, this merger will allow for large families to live there.

**(+) Duane Danielsén**

- He supports the project sponsors

**(+) Mark Anderson**

- He is here for any questions.

ACTION: Take Discretionary Review and Disapprove Project

AYES: Salinas, Theoharis

NAYES: Baltimore, Chinchilla, Joe, Lim

RESULT: The motion failed.





ACTION: Did not take Discretionary Review and approved the merger  
 AYES: Baltimore, Chinchilla, Joe, Lim,  
 NAYES: Salinas and Theoharis  
 ABSENT: Fay

15. 2001.1102D (TAM: 558-6325)  
1323 - 41<sup>ST</sup> AVENUE - between Irving Street and Lincoln Way, Lot 3 in Assessor's Block 1796 - Staff-initiated Discretionary Review request for Building Permit No. 2001/01/24/0455 and 2001/01/24/0457 to demolish an existing two-story, single-family dwelling and construct a new four-story, two-family dwelling. The property is located in the RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the project with staff modifications.

SPEAKER(S):  
*Re: Continuance*  
**Dennis Chow**

- He is the son of the project sponsor.
- His father has not had much time to fully review the plans. The architect has also not had much time to review the information.
- He believes that there is more information that he can provide for this project that is why he would like to have this case continued.

**Audrey Buckley**

- If the project sponsor wants to reduce the size of the project, then she would agree to the continuance. But, if the project sponsor wants to leave the project as is, then she does not agree to a continuance since she took time off from work to attend the hearing.

*Re: Merits of the Project*

**(-) Audrew Buckley – DR Requestor**

- She lives behind the project sponsor's home.
- She is worried about her privacy and light being blocked by the new construction.

**(+) Dennis Chow – Project Sponsor**

- He is concerned about making the residence only three floors since this will be his residence and place of work.
- The penthouse, which is being proposed, would be for his office.
- If and when he gets married he will need space for the family he plans to have.

**(+) Jeff Chen**

- This project is basically for a homeowner to bring his son back to the city and be able to work in his own home.
- There are other penthouses being built around the city since people are requiring more space.

**(+) Stanley Chan**

- Steven Chu read a letter written by Mr. Stanley Chan.
- Many of the buildings in the neighborhood are about the same height as his house.
- The design of the 4<sup>th</sup> floor unit is designed so that it will not block the view of the adjacent neighbors.
- He presented photographs of houses in the surrounding area.
- The design of the building will allow 4 cars to be parked there so the proposed construction will not cause traffic or parking problems.
- He also read a letter from Marianne Arata who is an adjacent property owner and is in support of the project.

**(+) Steven Chu**

- He is a retired structural engineer



- The extension of the house will allow a family to live together.
- He hopes the Commission will approve the project.

**ACTION:** Take Discretionary Review and approve the project with the following modifications: (1) Obtain demolition clearance before approving any building permits to demolish and reconstruct a building on the subject property; (2) Reduce the total number of stories from four to three, and match the overall building height of the adjacent three-story building to the south; (3) Reduce the overall total building depth from 70 feet to 63 feet, matching the existing rear yard depth of the property to the south; (4) Provide landscaping at the required front setback area pursuant to Planning Code Sections 132 and 143; and (5) Work with Planning staff to improve the overall building design to ensure compatibility with the existing architectural character of the neighboring buildings, i.e., window size and proportions, exterior building finishes, vehicular and pedestrian openings, and roof lines. 1) Remove the 4<sup>th</sup> floor and match the building height of the adjacent building to the south; 2) cut depth of building back to match the existing rear yard depth of the adjacent building to the south; and 3) add landscaping in the required front setback.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

#### **F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### **Joe O'Donaghue**

Re: Leno Legislation

- He resents one Commissioner's comments about her endorsement of this legislation and her opinion of others who do not endorse it.

Adjournment: 5:08 p.m.

#### **THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 7, 2002**

**ACTION:** Approved

**AYES:** Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas

**ABSENT:** Lim



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# SAN FRANCISCO PLANNING COMMISSION

## Minutes

DOCUMENTS DEPT.

MAR 22 2002

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Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, February 28, 2002

### 1:30 PM

#### Regular Meeting

**PRESENT:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Chinchilla

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:45 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green – Director of Planning, Larry Badiner Zoning Administrator, Rick Crawford; Costolino Hogan; Michael E. Smith; Jamilla Vollmann; Sara Vellve; Geoffrey Nelson; Glen Cabrerros; Mathew Snyder; Dario Jones; Patricia I. Gerber – Transcription Secretary; Linda D. Avery – Commission Secretary

#### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2001.0908DDDDDD (JONES: 558-6477)  
166 AND 168 YERBA BUENA AVENUE - south side of Yerba Buena Avenue between Maywood Drive and Santa Paula Avenue, Lot 036 and Lot 37 in Assessor's Block 3078 - Request for Discretionary Review of Building Permit Application No. 2001/0724/4359, and 2001/0724/4356. Both permits are for the new construction of 2-story, single family dwellings on two vacant interior lots, located in a RH-1 (D) (Residential, Detached, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.  
(Proposed for Continuance to March 7, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued as proposed  
**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Chinchilla

2. 2001.0973DDDDDD (CABREROS: 558-6169)  
2518 UNION STREET - north side between Scott and Divisadero Streets, Lot 008 in Assessor's Block 0945 - Requests for Discretionary Review of Building Permit Application 2001/0411/6580 proposing to construct a three-story horizontal addition approximately 31 feet wide by 15 feet deep at the rear of an existing two-story over garage, single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. A terrace alteration above the garage and side bay extensions are also proposed.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.  
**(Proposed for Continuance to March 14, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla

3. 2001.0535E (WYCKO: 558-5972)  
724 - 730 VAN NESS AVENUE - The proposed project involves the demolition of two existing one-story buildings at 724-730 Van Ness Avenue and 650-660 Turk Street, and the construction of a new building consisting of an approximately 130-foot tall, 14-story tower fronting on Van Ness Avenue and a 67-foot tall, 7-story tower fronting on Turk Street above a two-level subsurface parking garage and ground floor retail space, accessory office and recreation/laundry room. The project site is located on Lots 4 and 8 in Assessor's Block 742. The vacant 724 Van Ness Avenue building was formerly occupied by about 4,500 square feet of retail space. At 730 Van Ness Avenue, there currently exists about 1,500 square feet of restaurant space. The existing structure at 650-660 Turk contains 9,750 square feet and is currently occupied by an auto repair business at street level and an auto glass repair shop at the mezzanine level. The new building would consist of about 134 dwelling units on floor levels 2 through 14 with lobby access from Van Ness Avenue, 45 independently-accessible parking spaces for the dwelling units on two parking levels with vehicular access from Turk Street, and ground floor space allocated to an approximately 1,530 square foot community/laundry room, about 830 square feet of office space accessory to the residential complex, and about 2,200 square feet of retail space. Both project site lots are within a RC-4 District (Residential-Commercial Combined District, High-Density District) and the Van Ness Avenue Special Use District (SUD) as well as a 130-V Height and Bulk District. The project would require Conditional Use authorization for new construction over 40 feet in height. The project sponsor would also need to seek Variances regarding off-street parking and loading requirements and for the height of the mechanical penthouse on the tower which fronts Van Ness Avenue.  
**(Proposed for continuance to April 4, 2002.)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla

4. 2000.790EKXCTZM (LeBLANC: 558-6351)  
888 HOWARD STREET, AKA 155 FIFTH STREET - northeast corner of 5<sup>th</sup> Street, Lot 66 in Assessor's Block 3724 -- (1) Request for Determinations of Compliance under



Planning Code Section 309 (Downtown Project) and (2) Request for Exceptions, including an exception to the Reduction of Ground Level Wind Currents requirement (Section 148); (3) Request for Conditional Use authorization for a hotel, Planning Code Sections 303 and 216(b) and (4) Amendments to the Planning Code and Zoning Maps to change the height, bulk and Floor Area Ratio (FAR) of the project site, Planning Code Section 302(c). The proposal would change the height and bulk zoning of the project site from 160-F to 320-M, and would change the maximum FAR from 5:1 to 7.5:1 without the purchase of Transferable Development Rights (TDR). (The current zoning allows a maximum FAR of 7.5:1, but only with the purchase of TDR). The Project would also require amendments to the Urban Design and Land Use Elements of the General Plan and the Downtown Area Plan to be consistent with the proposed changes related to height, bulk and FAR.

Preliminary Recommendations: Pending

**NOTE: THE PROJECT CURRENTLY PROPOSES TO REZONE TO A 320-S HEIGHT AND BULK DISTRICT, INSTEAD OF A 320-M DISTRICT AS ORIGINALLY REQUESTED. THE PROJECT HAS BEEN RE-NOTICED FOR A HEARING ON MARCH 14, APRIL 25.**

**SPEAKER(S):** None

**ACTION:** Continued to April 25, 2002

**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla

5. 2001.1073DD (SMITH: 558-6322)

268 CHENERY STREET - northwest side of the street between Fairmount and Miguel Streets, Lot 012 in Assessor's Block 6685 - Request for Discretionary Review of Building Permit Application No. 2001/08/10/5766, proposing to construct a two-story rear horizontal addition on a duplex building, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

**(Proposed for Continuance to April 4, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla

6. 2001.0062E (CHAN: 558-5982)

491 BAYSHORE BOULEVARD - Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21, and 28. **Appeal of Preliminary Mitigated Negative Declaration.** The proposed project would demolish the vacant buildings, totaling 107,372 square feet (sq.ft.) and construct a home improvement store (Home Depot). The main store would be two stories, approximately 129,581 sq.ft. with a 10,088-sq.-ft. enclosed green house. The proposed project also includes an 8,550-sq.-ft. outdoor-garden center. The total project size would be approximately 148,219 sq.ft. The building would be approximately 40 feet in height. A parking garage consisting of three-levels of parking totaling 550 parking spaces would also be constructed on this 5.73-acre site. Vehicular access to the parking garage would be from Bayshore Blvd., where Cortland Ave. dead-ends into Bayshore Blvd. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) and is located in a M-1 (Light Industrial) zoning district and within a 65-J height and bulk district.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 21, 2002)

**NOTE: IT HAS BEEN DETERMINED THAT A FULL ENVIRONMENTAL IMPACT REPORT IS REQUIRED FOR THIS PROJECT. A PUBLIC HEARING WILL BE SCHEDULED ON THE DRAFT REPORT AT A FUTURE DATE. THEREFORE, THE APPEAL OF THE NEGATIVE DECLARATION IS NO LONGER BEFORE THE COMMISSION.**

**SPEAKER(S):** None

**ACTION:** The matter is not before the Planning Commission at this time

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of February 14, 2002.

**SPEAKER(S):** None

**ACTION:** Approved with the correction of a name

**AYES:** Fay, Baltimore, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla

8. Commission Matters

**None**

**C. DIRECTOR'S REPORT**

9. Director's Announcements

- **Responded to Commissioner Salinas's questions regarding the continuance of 491 Bayshore Boulevard**

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

- **951-957 Mission – Illegal Conversion – Zoning Administrator issued a Letter of Determination, that a Conditional Use was needed**

- **2551-2557 Mission Street – Rock Climbing Facility – The Commission's decision was overturned +5 –0.**

**D. REGULAR CALENDAR**

11. (HOGAN: 558-6610)  
PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2002-2003 – Consideration of approval of a draft resolution adopting the Planning Department's proposed work program and budget for fiscal year 2002-2003.  
Preliminary Recommendation: Approval

**SPEAKER(S):** None

**ACTION:** Continued to 3/7/02

**AYES:** Fay, Baltimore, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoharis

12. 2002.0055C (J.VOLLMANN: 558-6612)  
251 CLEMENT STREET - southeast corner of 4th Avenue, Lot 037 in Assessor's Block 1435 - Request for Conditional Use Authorization pursuant to Planning Code Section 716.45 to allow the sale of beer and wine in an existing specialty grocery store (Super Tokio) for consumption off the premises. The subject site is located within the Inner Clement Neighborhood Commercial District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

**SPEAKER(S):**

**(+) Andy Huihn, Project Sponsor**

- Asked Commission to approve his project

**(+) Ron Miguel**

- Supports project

**ACTION:** Approved

**AYES:** Fay, Baltimore, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoharis

**MOTION NO.** 16351

13. 2000.1130C (SMITH: 558-6322)  
6 - 8 LOCKSLEY AVENUE - east side of the street between Kirkham Street and Warren Avenue, Lot 003 in Assessor's Block 2636 - Request by XM Satellite Radio for Conditional Use Authorization under Planning Code Section 209.6 to install two antennas on the rooftop and one equipment cabinet within the mechanical room of an apartment building located in a RM-4 (Residential, Mixed, High-Density) District and 40-X Height and Bulk District. The subject site is a Location Preference 2 site according to the *Wireless Telecommunications Services (WTS) Siting Guidelines*, as it is a co-location site.  
Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):****(+) Noel Eboilo**

- Supports project

**ACTION:** Approved**AYES:** Fay, Baltimore, Joe, Lim**NAYES:** Salinas**ABSENT:** Chinchilla and Theoharis**MOTION NO.** 16352

14. 2001.1142C (VELLVE: 558-6263)  
20 WOODSIDE AVENUE (501 LAGUNA HONDA BLVD.) - St. John's Church of Christ, at the southeastern corner of Woodside Avenue and Laguna Honda Boulevard; Lot 001 in Assessor's Block 2888A - Request for Conditional Use Authorization pursuant to Section 209.6 of the Planning Code to install three (3) panel antennas and related equipment as part of Metro PCS's wireless telecommunications network in a publicly-used structure (a church) within a RH-1(D) (House, One-Family (Detached Dwelling)) Zoning District, and a 40-X Height and Bulk District. The proposal is a Preference Location 1, publicly-used structure.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****(+) Debra Stein, representing Metro PCS**

- This antenna will allow improved services in that area.

- There were notifications mailed to neighborhood associations and residents in three different languages. There were also bilingual community meetings.

- She thanked staff for their great work on this proposal.

**ACTION:** Approved**AYES:** Fay, Baltimore, Joe, Salinas**NAYES:** Lim**ABSENT:** Chinchilla and Theoharis**MOTION NO.** 16353

15. 2001.1109C (NELSON: 558-6257)  
2696 GEARY BOULEVARD - between Masonic Avenue and Emerson Street; Lot 004 in Assessor's Block 1071 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to legalize an existing wireless telecommunications facility within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and an 80-D height and bulk district, upon the roof of an approximately 80-foot tall self-storage building, which is owned and operated by Public Storage, Inc. The two existing antennas are the sole antennas of TouchTel's wireless communication network. As per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 2, as it is a co-location site.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****(+) Debra Stein, Representing TouchTel**

- This antenna will legalize existing antennas owned by TouchTel.
- There were notifications mailed to neighborhood associations and residents in three different languages. There were also bilingual community meetings.
- She thanked staff for their great work on this proposal.

**(-) Colleen Ryan**

- Opposed project
- Concerned about health problems
- T.V. interference, need a cable to get a good reception
- Phone reception is very poor

**(-) Tammie Schmidt**

- Concerned about health problems
- Also concerned about the value of her home

**(-) Thomas A. Rey**

- Concerned about health problems
- Cellular phone reception is very bad
- Suffering of headaches lately
- Notices were not posted properly

**ACTION:** Approved**AYES:** Fay, Baltimore, Joe, Salinas**NAYES:** Lim**ABSENT:** Chinchilla and Theoharis**MOTION NO.** 16354

16. 2001.0536C (NELSON: 558-6257)  
2696 GEARY BOULEVARD - between Masonic Avenue and Emerson Street; Lot 004 in Assessor's Block 1071 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install and operate a wireless telecommunications facility within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and an 80-D height and bulk district, upon the roof of an approximately 80-foot tall self-storage building, which is owned and operated by Public Storage, Inc. The six antennas would be part of MetroPCS' wireless communications network. As per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 2, as it is a co-location site.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****(+) Debra Stein, Representing Metro PCS**

- This antenna will allow improved services in that area.
- There were notifications mailed to neighborhood associations and residents in three different languages. There were also bilingual community meetings.
- She thanks staff for their great work on this proposal.

**(-) Colleen Ryan**

- Opposed project
- Concerned about health problems
- T.V. interference, need a cable to get a good reception
- Phone reception is very poor

**(-) Tammie Schmidt**

- Concerned about health problems
- Also concerned about the value of her home

**(-) Thomas A. Rey**

- Concerned about health problems



- Also concerned about the value of her home

**(+) Mr. Mumford**

- Supports project

**(+/-) Ron Miguel**

- Should be a better way to notify neighbors

**(-) Patricia Vaughey**

- She is concerned about the notification process.

**ACTION:** Approved

**AYES:** Fay, Baltimore, Joe, Salinas

**NAYES:** Lim

**ABSENT:** Chinchilla and Theoharis

**MOTION NO.** 16355

- 17a. 2001.0716CEKV (CABREROS: 558-6169)  
**755 EDDY STREET** - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - Request for Conditional Use Authorization under Planning Code Section 253 for a proposed building exceeding a height of 40 feet in an R (Residential) District and Section 253.2 for new construction exceeding 40 feet in height within the Van Ness Special Use District. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces on a vacant lot. The project is approximately 15,580 gross square feet in area, including parking. One unit within the building is proposed to be rented/sold as a below-market rate residential unit.  
 Preliminary recommendation: Approval with conditions

**SPEAKER(S):**

**(+) David Silverman, Ruben and Alter**

- Gave a description of the project
- Urged the Commission to approve the project

**ACTION #1:** Motion to approve with 2 affordable units at 100% and 120% of median income

**AYES:** Baltimore, Joe, and Salinas

**NAYES:** Lim and Fay

**ABSENT:** Chinchilla and Theoharis

**RESULT:** The motion failed

**ACTION #2:** Motion to approve staff recommendations

**AYES:** Fay, Joe, and Lim

**NAYES:** Baltimore and Salinas

**ABSENT:** Chinchilla and Theoharis

**RESULT:** The motion failed

**ACTION #3:** Continued to 3/7/02 to allow the absent commissioners to participate in the final action.

**AYES:** Baltimore, Fay, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoharis

- 17b. 2001.0716CEKV (CABREROS: 558-6169)  
**755 EDDY STREET** - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - A request to reduce the parking requirement for a new twelve-unit residential building. Pursuant to Planning Code Section 243(c)(8)(I), the Zoning Administrator may reduce the parking requirement (one space per dwelling unit) to no less than one space for each four dwelling units provided the Zoning Administrator determines that the reduced parking is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the

project. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces (Section 151 of the Planning Code requires 12 independently accessible parking spaces) on a vacant lot.

**SPEAKER(S):** Same as those listed under item 17a.

**ACTION:** Zoning Administrator closed public hearing and continued the matter to 3/7/02

- 18a. 2001.0800CD (M.SNYDER: 575-6891)  
301 GUERRERO STREET - AKA 1795 15<sup>TH</sup> STREET - currently occupied by the business called Jet Hand Carwash and Detailing, southeast corner of 15<sup>th</sup> Street and Guerrero Streets, Lot 35 in Assessor's Block 3555 - Request for Conditional Use authorization under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) to allow the construction of three market rate dwelling units in an RH-3 (Residential, House, Three-family) District, a 40-X Height and Bulk District, and the Mission District.  
Preliminary Recommendation : Approval with Conditions  
(Continued from Regular Meeting of January 10, 2002)

**SPEAKER(S):**

**(+) Eddie Tsang, Project Sponsor**

- Urged the Commission to approve his project

**ACTION:** Approved

**AYES:** Fay, Baltimore, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoharis

**MOTION NO.** 16356

- 18b. 2001.0800CD (M.SNYDER: 575-6891)  
301 GUERRERO STREET - AKA 1795 15<sup>TH</sup> STREET - currently occupied by the business called Jet Hand Carwash and Detailing, southeast corner of 15<sup>th</sup> Street and Guerrero Street, Lot 35 in Assessor's Block 3555 - Mandatory Discretionary review under Board of Supervisor's Resolution 518-01 (the Mission District Interim Controls) for the change of use from a car washing business to three market-rate dwelling units, in the RH-3 (Residential, House, Three-Family) District, a 40-X Height and Bulk District, and the Mission District.  
Preliminary Recommendation: Do not take Discretionary Review and Approve Project as proposed  
(Continued from Regular Meeting of January 10, 2002)

**SPEAKER(S):** Same as those listed in item 18a

**ACTION:** Did not take discretionary review and approved the project as proposed

**AYES:** Fay, Baltimore, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoharis

**AT APPROXIMATELY 5:00 PM THE PLANNING COMMISSION CONVENED INTO A DISCRETIONARY REVIEW (DR) HEARING TO HEAR AND ACT ON DISCRETIONARY REVIEW MATTERS.**

19. 2001.0921D (JONES: 558-6477)  
1358 - 47<sup>TH</sup> AVENUE - Lot 030 in Assessor's Block 1801 - Discretionary Review Request for Building Permit Application No. 2001/02/22/2698, To construction a new four-story, two-family dwelling on a vacant lot in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

**SPEAKER(S):**



**(+) Ester Mugar, Discretionary Review Requestor**

- This neighborhood is unique in character
- A lot of the homes in the neighborhood are of historical value
- This project is out of scale in relation to other homes in the neighborhood
- Concerned about the parking

**(+) Susan Williams**

- Urged the Commission to disapprove the project
- Sign was not posted properly

**(+) Peter Vokanokovshi**

- Opposed project
- Concerned about parking

**(-)Andrew Lishwan, Project Sponsor**

- Asked Commission to approve his project

**ACTION:** Take Discretionary Review and approved as modified:

- o **Require a NSR for 2 units only;**
- o **Remove the 4<sup>th</sup> floor;**
- o **Continue working on design modifications and landscaping**

**AYES:** Fay, Baltimore, Joe, Lim, Salinas

**ABSENT:** Chinchilla and Theoahris

**PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Patricia Vaughney**

- **2844 Greenwich - Ignoring Commission in the Enforcement Division**
- **People on both sides of Cal Tennis Club issue**
- **Notice address does not agree with Assessor's office**
- **Gorilla Gym/ Cinema 21**
- **Pierce Street Garage: Sprint moved antenna w/o permit. Metro PCS wants to use same pole in enforcement**

Adjournment: **5:57 p.m.**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 14, 2002**

**ACTION:** **Approved**

**AYES:** **Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoahris**



55  
10  
/7/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, March 7, 2002

1:30 PM  
Regular Meeting

DOCUMENTS DEPT

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**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis  
**ABSENT:** Lim

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:35 p.m.**

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner-Zoning Administrator; Glen Cabrerros; Costolino Hogan; Randall Dean; Paul Lord; Dan Sider; Vahram Massehian; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.1116DDD (SANCHEZ: 558-6679)  
2808 LAGUNA STREET - Lot 021 in Assessor's Block 0543 - Discretionary Review Request for Building Permit Application Number 2001/0119/0164'S', to raise the subject building approximately 4 feet, 5 inches to accommodate a garage at the ground level and to add a fourth-floor penthouse to the existing three-level single-family building within an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.  
**ALL DISCRETIONARY REVIEWS WITHDRAWN**
2. 2001. 1130DD (CABREROS: 558-6169)  
147 6<sup>TH</sup> AVENUE - west side between Lake and California Streets, Lot 013 in Assessor's Block 1366 - Requests for Discretionary Review of Building Permit Application Nos. 2001/0713/3641 and 2001/0713/3642 proposing to demolish the existing two-story over garage, single-family home and to construct a three-story over garage, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending  
**(Proposed for Continuance to March 14, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

3. 1999.818C (WOODS: 558-6315)  
2455 BUSH STREET (a.k.a. 1770 SCOTT STREET) - southeast corner of Bush and Scott Streets, between Scott and Pierce Streets, Lot 3 in Assessor's Block 680 - Request for Conditional Use Authorization under Planning Code Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.81 for the alteration of an existing building (the California Tennis Club), including an addition which will increase the overall gross square footage of the building by approximately 7,000 square feet, for a total of approximately 21,000 gross square feet in an NC-2 District (Small-Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance to April 11, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

4. 2001.1091C (SIROIS: 558-6313)  
1795 38<sup>TH</sup> AVENUE (AKA 3126 NORIEGA STREET) - west side of 38<sup>th</sup> Avenue between Noriega and Moraga Streets, Lot 016, Assessor's Block 2011 - Request for Conditional Use Authorization by Verizon Wireless to install a telecommunications facility pursuant to Planning Code Section 710.83, which includes the installation of 12 panel antennas, one GPS antenna and associated equipment cabinets in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The subject site is a preference 6 location (NC-1 District) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of February 14, 2002)  
**(Proposed for Continuance to April 11, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

5. 2001.0908DDDDDD (JONES: 558-6477)  
166-168 YERBA BUENA AVENUE - west side between Maywood Drive and Santa Paula Avenue, Lot 036 and Lot 037 in Assessor's Block 3078 - Requests for Discretionary Review of Building Permit Application Nos. 2001/07/24/4359 and 2001/07/24/4356, proposing for each permit the new construction of a two-story, single-family dwelling on two adjacent interior vacant lots in an RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height District.  
Preliminary Recommendation: Do not take Discretionary Review and approve as revised.  
**(Proposed for Continuance to May 9, 2002) March 21, 2002**  
SPEAKER(S): None  
ACTION: Continued as Amended  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

6. 2001.0894D (CABREROS: 558-6169)  
**22-24 ANNAPOLIS TERRACE** - east side between Turk Street and Golden Gate Avenue, Lot 015 in Assessor's Block 1163 -- Request for Discretionary Review of Building Permit Application No. 2001/0626/2362 proposing an approximately 28-foot long by 25-foot wide horizontal addition at the rear of the existing third story within the existing footprint of a two-story portion of a two-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
**(Proposed for continuance to May 9, 2002. Subsequent to the mailing of the Section 311 notification and the filing of this request for Discretionary Review, the project sponsor submitted a revision, which included the addition of a partial fourth story. Further Section 311 notification will be required due to the expansion of the proposed building envelope as previously noticed.)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of February 21, 2002

SPEAKER(S): None  
ACTION: Approved  
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
ABSENT: Lim

8. Commission Matters  
**None**

## **C. DIRECTOR'S REPORT**

9. Director's Announcements  
**None**

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

### **BOS –**

**RE:** *Inclusionary Housing item heard during the Commerce and Transportation Committee:*

Jean-Paul Samaha, Staff Liaison to the Board of Supervisors gave a report about the hearing held on February 28, 2002, before the Commerce and Transportation Committee of the Board of Supervisors on Supervisor Leno's Inclusionary Housing Legislation. He reported that after a 7-hour hearing, the legislation was voted out of committee on a 2-1 vote, with Supervisors McGoldrick and Ammiano supporting, and Supervisor Hall dissenting. He announced that the other firm co-sponsors of Leno's legislation were Supervisors Gonzalez and Maxwell. He further reported that certain amendments were made in Committee, specifically calling for studies to be conducted by the Mayor's Office of Housing and other agencies, and that those studies might result in further legislation to be introduced, which would then come before the Planning Commission for their consideration. He further reported that the numbers of units not covered by Supervisor Leno's legislation due to its June 18, 2001 effective clause have now been further clarified. He ended by saying that the legislation is scheduled to be considered by the full Board at their March 18 meeting, but that there might be a



motion for continuance for a week due to the fact that only 7 members of the Board were scheduled to attend the meeting.

BOA - None

#### D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

- 11a. 2001.0716CEKV (CABREROS: 558-6169)  
755 EDDY STREET - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - Request for Conditional Use Authorization under Planning Code Section 253 for a proposed building exceeding a height of 40 feet in an R (Residential) District and Section 253.2 for new construction exceeding 40 feet in height within the Van Ness Special Use District. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces on a vacant lot. The project is approximately 15,580 gross square feet in area, including parking. One unit within the building is proposed to be rented/sold as a below-market rate residential unit.

Preliminary recommendation: Approval with conditions

**NOTE: On February 28, 2002, following Public Testimony, the Commission closed the Public Hearing. The Commission entertained two motions on this matter: 1) a motion to approve the project requiring two affordable units at 100% and 120% of median income levels. The motion failed to carry with a +3-2 vote with Commissioners Lim and Fay voting No and Commissioners Chinchilla and Theoharis absent. 2) the second motion entertained was to approve staff recommendation. This motion also failed to carry with a +3-2 vote with Commissioners Baltimore and Salinas voting No and Commissioners Chinchilla and Theoharis absent. 3) The matter was then continued to March 7, 2002 to allow the absent Commissioners to participate in the final action.**

SPEAKER(S): None

ACTION: Motion to approve the project requiring two affordable units at 100% and 120% of median income levels.

AYES: Baltimore, Joe, Salinas

NAYES: Chinchilla, Fay, Theoharis

ABSENT: Lim

RESULT: The motion failed to carry.

ACTION: Motion to approve as recommended by staff

AYES: Chinchilla, Fay, Theoharis

NAYES: Baltimore, Joe, Salinas

ABSENT: Lim

RESULT: The motion failed to carry.

ACTION: Continued to March 14, 2002 at the call of the chair to allow the absent commissioner to participate in the final action.

- 11b. 2001.0716CEKV (CABREROS: 558-6169)  
755 EDDY STREET - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - A request to reduce the parking requirement for a new twelve-unit residential building. Pursuant to Planning Code Section 243(c)(8)(I), the Zoning Administrator may reduce the parking requirement (one space per dwelling unit) to no less than one space for each four dwelling units provided the Zoning Administrator determines that the reduced parking



is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the project. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces (Section 151 of the Planning Code requires 12 independently accessible parking spaces) on a vacant lot.

**NOTE: On February 28, 2002, following Public Testimony the Zoning Administrator closed the Public Hearing and continued the matter to March 7, 2002.**

**ACTION:** Zoning Administrator continued this item to March 14, 2002

## **E. REGULAR CALENDAR**

12. (HOGAN: 558-6610)  
PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2002-2003 – Consideration of approval of a draft resolution adopting the Planning Department's proposed work program and budget for fiscal year 2002-2003.  
Preliminary Recommendation: Approval  
(Continued from Regular Meeting of February 28, 2002)  
  
**SPEAKER(S):** None  
**ACTION:** Approved  
**AYES:** Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
**ABSENT:** Lim  
**MOTION:** 16357
  
13. 2000.965E (DEAN: 558-5980)  
949 MARKET STREET - Certification of the Final Environmental Impact Report prepared for the proposed demolition of the existing building at 949-961 Market Street (Assessor's Block 3704, Lot 71), consisting of a 40-foot-high former theater and a 66-foot-high former retail component, and construction of a new 12-story-plus-basement, 119-foot-tall, mixed retail-residential building with 152 dwelling units. Total new construction would be about 241,200 square feet. The proposed project would provide 158 parking spaces and one loading space. The approximately 23,400-square-foot project site is located in the middle of the block on the south side of Market Street between Fifth and Sixth Streets, and is within the C-3-G (Downtown General Commercial) zoning district and the 120-X height and bulk district. The proposed project would require authorization by the Planning Commission pursuant to Planning Code Section 309, Permit Review in C-3 District, and Conditional Use authorization.  
**Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 18, 2001. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification only may be presented to the Planning Commission.**  
Preliminary Recommendation: Certify Environmental Impact Report  
  
**SPEAKER(S):** None  
**ACTION:** Environmental Impact Report was certified  
**AYES:** Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas  
**ABSENT:** Lim  
**MOTION:** 16358
  
14. 2001.1158T (LORD: 558-6311)  
Consideration of an Ordinance amending the San Francisco Planning Code by amending the definition of "Live/Work Unit" in Section 101.13 to clarify that the residential use and the integrated work space must be in the same unit, and by amending Section 233 to prohibit new Live/Work Units except for accessory uses authorized by Section 204.4.  
Preliminary Recommendation: Disapproval

SPEAKER(S):

(-) **Steve Vettel**

- What is being proposed is not a little step.

- He agrees with staff recommendation to disapprove this legislation.

ACTION: Disapproved

AYES: Baltimore, Chinchilla, Fay, Theoharis

NAYES: Joe and Salinas

ABSENT: Lim

MOTION: 16359

15. 2001.1157T (LORD: 558-6311)  
Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 816 to provide that development projects in the Service/Light Industrial/Residential (SLR) Mixed Use Districts that contain dwelling units 10 percent or more of which are affordable are not subject to Planning Commission policies and procedures that discourage housing in the Industrial Protection Zone and by deleting references to live/work uses; adopting findings.  
Preliminary Recommendation: Disapproval

SPEAKER(S): None

ACTION: Disapproved

AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas

ABSENT: Lim

MOTION: 16360

## F. DISCRETIONARY REVIEW HEARING

At Approximately **3:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

16. 2001.1162D (SIDER: 558-6697)  
227 CONNECTICUT STREET - east side between Mariposa and 18<sup>th</sup> Streets, Lot 027 in Assessor's Block 4003 - Mandatory Discretionary Review of Building Permit Application Number 2001/11/19/3542 proposing to (1) merge two legal dwelling units into one dwelling unit and (2) construct a rear expansion in an RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(+) **Patty O'Murke – Project Sponsor**

- They would like to add a modest addition to their home and bring all permits up to date.

- The building only has one heater and one water mainline.

- There are no tenants being displaced.

ACTION: Did not take Discretionary Review and approved the merger

AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis, Salinas

ABSENT: Lim

17. 2001.1103D (MASSEHIAN: 558-6383)  
2711-2713 AND 2715-2717 PINE STREET - south side between Divisadero and Broderick Streets, Lots 032 and 033 in Assessor's Block 1049 - Request for Discretionary Review of Building Permit Application Nos. 2001/03/19/4595 and 2001/03/19/4601 to construct two new two-story over garage two-unit residential buildings, on two adjacent vacant lots. The project is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

**SPEAKER(S):**

**(-) Michael Stimrik – DR Requestor**

- He is against this project because it does not meet the guidelines of the neighborhood.
- Many of the buildings on the block have been restored Victorians.
- The developer does not live on this block so the only interest to do this is financial gain.
- He hopes that the Commission will direct the developer to work with the neighborhood and revise the design.

**(-) Barbara Sauton**

- She lives on the street of the proposed project.
- They are trying to maintain the Victorian style of the homes on this street.
- It took her about 10 years to restore her home, yet she still lived there while this work was going on.
- San Francisco is based on beautiful Victorians and they should be saved.

**(-) Russell Forrest**

- He runs a tour business emphasizing historical sites in San Francisco.
- People come to San Francisco and pay him to see Victorians.
- He is not asking the developer not to build anything; he would just like to have the design modified.

**(-) Patricia Voughey**

- Her organization was not notified of the proposed construction.

**(-) Janet Potter**

- There are various neighbors who are in support of taking a Discretionary Review.
- She would like to have the Commission request the project sponsor to modify the design of the construction.

**(+) Glenn Rescalvo – Project Architect**

- This is a modest development, which will alleviate a bit of the housing shortage.
- This will also be an improvement to the neighborhood.
- The massing and the volume of the proposed buildings are in keeping with the adjacent buildings.
- He provided the neighbors with information on the proposed construction.
- He values the opinions of the neighbors regarding Victorian homes.
- The project meets all the Planning Code requirements and meets the residential design guidelines.
- He hopes that the Commission will approve the project as designed.

**(+) Bernard Katzmann**

- The proposed construction will enhance the neighborhood since there are only vacant lots there.
- He hopes that the Commission approves the project.

**(+) Jacqueline Rescalvo Apple**

- Her father does an excellent job with Victorians
- She hopes the Commission will approve the project as proposed.

**ACTION:** Motion to not take Discretionary Review and approve the project

**AYES:** Chinchilla and Fay

**NAYES:** Baltimore, Theoharis, Salinas, Joe

**ABSENT:** Lim

**RESULT:** The motion failed

**ACTION:** Took Discretionary Review and approved requiring double hung windows and a setback that respects the adjacent (right side) Victorian located at 2719-2721 Pine Street; also retain the two existing street trees.

**AYES:** Baltimore, Theoharis, Salinas, Joe

**NAYES:** Chinchilla and Fay

**ABSENT:** Lim

**F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Patricia Vaughey – Cow Hollow Neighbors in Action**

*Re: Letter regarding Discretionary Review*

- This letter stated that her organization supported a discretionary review.
- Her neighborhood organization has not taken a stand yet and she finds it offensive that someone would state this.

*Re: Touchless Car Wash*

- She is not sure what is happening.
- She received two large binders that basically said, "please agree to this or we are going to withdraw the application."
- One of the neighborhood leaders is meeting with Harry O'Brien to find out what the purpose of all this is.

*RE: Aluminum Windows*

- From someone who has rehabilitated buildings all over the city, these windows are terrible and they cost a lot of money to repair.

*RE: modern architecture*

- She likes modern architecture but not everywhere.
- All these things need to be weighed.

**Kirk Scott**

*Re: Budget Discussion and the increase for request for DRs.*

- He has been educating himself about DRs and what is the DR process.
- He suggests that staff prepare some type of documentation that makes the DR process more understanding so that people are not misguided about their expectations.
- Another issue regarding DRs is that the minutes do not really state what were the issues at hand.
- He suggests that there could be a way to reduce the number of DRs, not by raising fees but by being more explicit.

Adjournment: 4:50 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 21, 2002**



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# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

DOCUMENTS DEPT.

APR 24 2002

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PUBLIC LIBRARY

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

**Thursday, March 14, 2002**

**1:30 PM**

**Regular Meeting**

**PRESENT:** Chinchilla; Fay; Baltimore; Joe; Lim; Salinas, Theoharis

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:40 P.M.**

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Mary Woods, Glen Cabreros; Michael Smith; Ken Rich; David Alumbaugh; Geoffrey Nelson; Tina Tam; Kate McGee, Rick Crawford; Dan Dibartolo; Patricia Gerber - Transcription Secretary; Linda D. Avery - Commission Secretary

### **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.0505C (M. WOODS: (415) 558-6315)  
2324 - 2340 CHESTNUT STREET - north side, between Scott and Divisadero Streets, Lots 12 and 14 in Assessor's Block 929 - Request for Conditional Use Authorization under Planning Code Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.27 to exceed the permitted lot size of 9,999 square feet by approximately 7,500 square feet for a total lot size of approximately 17,501 square feet and the permitted use size of 3,999 gross square feet for the expansion of an existing personal service use (Gorilla Sports) from approximately 11,700 gross square feet to approximately 22,700 gross square feet, and to allow hours of operation to commence prior to 6:00 a.m. (5:30 a.m. proposed) in an NC-2 (Small-Scale Neighborhood Commercial District) and a 40-X Height and Bulk District. The proposal is to incorporate the Presidio Theatre space (approximately 11,000 gross square feet) at 2340 Chestnut Street with the existing Gorilla Sports space (approximately 11,700 gross square feet) at 2324 Chestnut Street. The conversion of use of the theatre space would involve removal of theatre seating, interior alterations as

well as exterior alterations consisting of the provision of two ingress/egress doorways connecting the two buildings. The existing retail spaces at the front of the Presidio Theatre would be retained.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular of January 10, 2002)

**APPLICATION WITHDRAWN**

2. 2001.0918E (L. KIENKER: (415) 558-5970)  
3750 THIRD STREET - Lot 10 of Assessor's Block 5225, northwestern corner of Third Street and Evans Avenue - **Appeal of Preliminary Mitigated Negative Declaration** for the proposed demolition of an existing 300-gross-square-foot (gsf) gas station and construction of a proposed approximately 2,777-gsf building with shared ground-floor use as a gas station cashier, mini-mart, and fast-food facility with a drive-thru accessed from Phelps Street. The proposed project also includes gas station fueling pump replacement and underground storage tank (UST) replacement. The site is within the M-2 (Heavy Industrial) zoning district and 65-J height and bulk district. The site is within the Third Street Interim Land Use Control area NC-3 (Neighborhood Commercial) District. The project would require conditional use authorization by the Planning Commission for the fast-food use in an NC-3 District, permit approval for food service from the Department of Public Health, and underground storage tank replacement permit approval from the Department of Public Health and Fire Department.  
 Preliminary Recommendation: Uphold Preliminary Negative Declaration  
**NOTE: IT HAS BEEN DETERMINED THAT A FULL ENVIRONMENTAL IMPACT REPORT IS REQUIRED FOR THIS PROJECT. A PUBLIC HEARING WILL BE SCHEDULED ON THE DRAFT REPORT AT A FUTURE DATE. THEREFORE, THE APPEAL OF THE NEGATIVE DECLARATION IS NO LONGER BEFORE THE COMMISSION.**  
**PROJECT WITHDRAWN**

3. 2000.790EKTZMCX (K. ADMUR: (415) 558-6351)  
888 HOWARD STREET, (AKA 155 5<sup>TH</sup> STREET) - northeast corner of 5<sup>th</sup> Street, Lot 66 in Assessor's Block 3724 - (1) Request for Determinations of Compliance under Planning Code Section 309 (Downtown Project) and (2) Request for Exceptions, including an exception to the Reduction of Ground Level Wind Currents requirement (Section 148) and an exception to the Bulk limits (Sections 270 and 272); (3) Request for Conditional Use authorization for a hotel (Sections 303 and 216(b)) and (4) Amendments to the Planning Code and Zoning Maps to change the height, bulk and Floor Area Ratio (FAR) of the project site, Planning Code Section 302(c). The proposal would change the height and bulk zoning of the project site from 160-F to 320-S, and would change the maximum FAR from 5:1 to 7.5:1 without the purchase of Transferable Development Rights (TDR). (The current zoning allows a maximum FAR of 7.5:1, but only with the purchase of TDR). The Project would also require amendments to the Urban Design and Land Use Elements of the General Plan and the Downtown Area Plan to be consistent with the proposed changes related to height, bulk and FAR.  
 Preliminary Recommendation: Pending  
**(Proposed for continuance to April 25, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla; Fay; Baltimore; Joe; Salinas; Theoharis

**ABSENT:** Lim

4. 2001.0739DDDDDD (G. CABREROS: (415) 558-6169)  
3352 WASHINGTON STREET - North side between Walnut Street and Presidio Avenue, Lot 011 in Assessor's Block 0984 - Requests for Discretionary Review of Building Permit Application 2000/0616/2818S proposing to construct a dormer, deck and windscreens at roof level, to add a horizontal addition at the rear and to alter both front and rear facades



of the existing four-story, single-family house located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Pending  
 (Continued from Regular Meeting of January 10, 2002)  
**(Proposed for Continuance to May 16, 2002)**

**SPEAKER(S):**

**David Silverman, Ruben and Alter, Representing Project Sponsor**

- This item has been continued several times
- Requested the item be continued to April 25, 2002 instead of May 16.

**ACTION:** Continued as proposed

**AYES:** Chinchilla; Fay; Baltimore; Joe; Salinas; Theoharis

**ABSENT:** Lim

5. 2001.0676CR (M. SMITH: (415) 558-6322)  
 1935 32<sup>nd</sup> AVENUE - (San Francisco Fire Station #18), west side of the street between Ortega and Pacheco Streets, Lot 006 in Assessor's Block 2102 - Request by Metro PCS for Conditional Use Authorization under Planning Code Sections 234.2 and 209.6 (b) to install three antennas, one GPS antenna, and ten equipment cabinets on the rooftop of a fire station located in a P (Public Use) District and 40-X Height and Bulk District. The subject site is a Location Preference 1 site according to the *Wireless Telecommunications Services (WTS) Siting Guidelines*, as it is a publicly-used structure.  
 (Continued from Regular Meeting of November 8, 2001)  
**(Proposed for Continuance to May 9, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Chinchilla; Fay; Baltimore; Joe; Salinas; Theoharis

**ABSENT:** Lim

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

6. Consideration of Adoption - draft minutes of February 28, 2002.

**SPEAKER(S):** None

**ACTION:** Approved with corrections to the spelling of some speakers names

**AYES:** Chinchilla; Fay; Baltimore; Joe; Lim; Salinas; Theoharis

7. Commission Matters

**Chinchilla:** Requested an informational report on the Status of Bryant Square

**Lim:** Requested a status report on the legislation proposed by Supervisor Leno

**Baltimore:** Requested that a meeting be scheduled on parking policies

**C. DIRECTOR'S REPORT**

8. Director's Announcements

- Announced that he would be on vacation from 3/18/02 thru 4/1/02.

- Responded to Commissioner Lim's question regarding Supervisor Leno's Legislation

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

**B of S:** None

**B of A:** 45 Bryant Street – a live/work project – Commission reviewed under discretionary review powers and approved without a significant modification - This has come

back to the Board now that the Live/work moratorium is not in effect. Project Sponsor wants to convert this project to a residential project. That district requires a CU and a rear yard exception. Board requested that the project sponsor go back and talk to neighbors and show them his latest plans. The Board specifically noted that they reframed from approving the live/work project even when they have the ability to do that.

1117 Judah Street – on 8/23/01, Commission took Discretionary Review and required an 8 foot reduction of the two unit building and also required modifications in terms of the lightwell. The Board upheld the Commission's modifications.

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED**

- 10a. 2001.0716CEKV (G. CABREROS: (415) 558-6169)  
755 EDDY STREET - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - Request for Conditional Use Authorization under Planning Code Section 253 for a proposed building exceeding a height of 40 feet in an R (Residential) District and Section 253.2 for new construction exceeding 40 feet in height within the Van Ness Special Use District. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces on a vacant lot. The project is approximately 15,580 gross square feet in area, including parking. One unit within the building is proposed to be rented/sold as a below-market rate residential unit.

Preliminary recommendation: Approval with conditions

**NOTE:** On February 28, 2002, following Public Testimony, the Commission closed the Public Hearing. The Commission entertained two motions on this matter: 1) a motion to approve the project requiring two affordable units at 100% and 120% of median income levels. The motion failed to carry with a +3-2 vote with Commissioners Lim and Fay voting No and Commissioners Chinchilla and Theoharis absent. 2) the second motion entertained was to approve staff recommendation. This motion also failed to carry with a +3-2 vote with Commissioners Baltimore and Salinas voting No and Commissioners Chinchilla and Theoharis absent. 3) The matter was then continued to March 7, 2002 to allow the absent Commissioners to participate in the final action.

**NOTE:** On March 7, 2002, the Commission again entertained two motions on this matter: 1) a motion to approve the project requiring two affordable units at 100% and 120% of median income levels. The motion failed to carry with a +3-3 vote with Commissioners Chinchilla, Fay and Theoharis voting No and Commissioner Lim was absent. 2) the second motion entertained was to approve staff recommendation. This motion also failed to carry with a +3-3 vote with Commissioners Baltimore, Joe and Salinas voting No and Commissioner Lim was absent. 3) The matter was then continued to March 14, 2002 at the call of the chair to allow the absent Commissioner to participate in the final action.

**SPEAKER(S):** None

**ACTION:** The Commission entertained two motions on this matter:

**1<sup>ST</sup> ACTION)** a motion to approve the project requiring two affordable units at 100% and 120% of median income levels.

**AYES:** Baltimore and Joe

**NAYES:** Lim, Fay, Theoharis, Chinchilla, Salinas

**RESULT:** Motion failed to carry

**2<sup>ND</sup> ACTION:** the second motion entertained was to approve staff recommendation.

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**NAYES:** Baltimore

**MOTION NO.** 16361

- 10b. 2001.0716CEKV (G. CABREROS: (415) 558-6169)  
**755 EDDY STREET** - south side between Van Ness Avenue and Polk Street in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District, Lot 010 in Assessor's Block 0742 - A request to reduce the parking requirement for a new twelve-unit residential building. Pursuant to Planning Code Section 243(c)(8)(I), the Zoning Administrator may reduce the parking requirement (one space per dwelling unit) to no less than one space for each four dwelling units provided the Zoning Administrator determines that the reduced parking is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the project. The proposal is to construct a twelve-unit, 50-foot high, five-story residential building with eight independently accessible parking spaces (Section 151 of the Planning Code requires 12 independently accessible parking spaces) on a vacant lot.  
**NOTE:** On February 28, 2002, following Public Testimony the Zoning Administrator closed the Public Hearing and continued the matter to March 7, 2002.  
**NOTE:** On March 7, 2002, the Zoning Administrator continued the matter to March 14, 2002.  
**ACTION:** THE ZONING ADMINISTRATOR GRANTED THE REQUEST TO REDUCE THE PARKING REQUIREMENTS

## F. REGULAR CALENDAR

11. (K. RICH: (415) 558-6345/D. ALUMBAUGH: (415) 558-6601)  
**BALBOA PARK BETTER NEIGHBORHOODS PLAN** - Update on the Balboa Park Station Area planning process, part of the Department's Better Neighborhoods Program.  
**SPEAKER(S):**  
 (+) **Regina Blosser, OMI - NEA**  
 - This is a great community input process  
 - Muni is not cooperating with the neighborhood  
 (-) **David Hooper**  
 - Opposed plan  
 (+) **Steve Currier**  
 - Community is overwhelmingly involved  
 - Supports the plan  
 (+/-) **Bette Landis**  
 - In support of this plan  
 - We have a great need for housing in this City  
 (-) **Patricia Vaughey**  
 - Opposed  
 (+) **William Wilson**  
 - Urge Muni to do a traffic survey  
 (-) **John Katz, MUNI**  
 - Gave a summary of the work Muni is planning to do in that area  
**ACTION:** No Action Required

- 12a. 2001.1027CR (G. NELSON: (415) 558-6257)  
3224-3252 PIERCE STREET - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for a finding of Conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code, to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the City-owned Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. A General Plan Referral is required for any ordinances or resolutions concerning a change of use of any public property, building, or structure. Per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a public facility.  
 Preliminary Recommendation: Finding of Conformity with the General Plan

**SPEAKER(S)—On a request for continuance only:**

**(-) Patricia Vaughey, Cow Hollow Merchants**

- Requested this item be continued to find missing tapes

**(+) Debra Stein, Metro PCS**

- It is very important for Metro PCS to get this system up in April
- This is a very important area of the City that needs PCS services

**(+) Jennifer Estes**

- Reviewed all our files and talked to the contractors—the locations are accurate

**(-) Walter Dickhaut**

- Requested item be continued to next week

**ACTION:** Without hearing, continued to 4/4/02

**AYES:** Chinchilla; Fay; Baltimore; Lim; Salinas; Theoharis

**NAYES:** Joe

- 12b. 2001.1027CR (G. NELSON: (415) 558-6257)  
3224-3252 PIERCE STREET - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. Because the parking facility is the property of the City and County of San Francisco, the application also requires a finding of conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code. Per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a public facility.

Preliminary Recommendation: Approval with conditions

**SPEAKERS:** Same as those listed for item 12a

**ACTION:** Without hearing, continued to 4/4/02

**AYES:** Chinchilla, Fay, Baltimore, Lim, Salinas, Theoharis

**NAYES:** Joe

13. 2000.809C (T. TAM: (415) 558-6325)  
522, 550, AND 552 CARTER STREET, 105 WALBRIDGE STREET - southwest corner of Carter and Walbridge Streets; Lots 2, 3, 4, and 6 in Assessor's Block 6428 - Request for authorization of a CONDITIONAL USE for a PLANNED UNIT DEVELOPMENT to Preliminary Recommendation:



permit construction of up to 101 affordable multi-family residential units (by Mercy Housing California), requiring modification of Planning Code standard for dwelling unit density. The property is located in the RH-2 (Residential, House, Two-Family) and NC-S (Neighborhood Commercial Shopping Center) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

**SPEAKER(S):**

**(+) Ramie Dare, Project Sponsor**

- This will allow low income people to reside in housing of quality

**(+) Fred Pollack, Architect**

- Give a description of the project

**(+) Alicia Klein, Mayor's Office of Housing**

- Supports this development

**(+) Joyce Calagos**

- In support of the project

**(-) Steven Currier**

- Opposed to the project

**(+) Bella Ramos, SF Organizing Project**

- Supports Mercy housing

**(-) Roger Brandon**

- Opposed the project

**ACTION:** Approved

**AYES:** Chinchilla; Fay; Baltimore; Joe; Lim; Salinas; Theoharis

**MOTION NO.** 16362

**AT APPROXIMATELY 3:50 PM THE PLANNING COMMISSION CONVENED INTO A DISCRETIONARY REVIEW (DR) HEARING TO HEAR AND ACT ON DISCRETIONARY REVIEW MATTERS.**

14. 2001.1165D (R. CRAWFORD: (415) 558-6358)  
2420 TARAVAL STREET - North side between 34<sup>th</sup> and 35<sup>th</sup> Avenues. Assessor's Block 2363 Lot 017 - Request for Discretionary Review of Building Permit Application 2001/0830/7267S, to demolish the existing two story over garage, single unit building, and construct a new three story over garage three unit building in an NC-2 (Small Scale Neighborhood Commercial) District, and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Take Discretionary Review and modify the Building Permit

**SPEAKER(S):**

**(+) Christine May**

- Neighbors are not in favor of three garages
- The building is too tall

**(-) Katherine Cantrell**

- This project would block sunlight, air and view in her house
- Height of building is too tall

**(-) John Temaska**

- Concerned about the density of the project
- Parking in the neighborhood is a nightmare

**(-) Larry Rail**

- Concerned about the people that would be evicted from this building

**(-) Johnson Chin**

- Would lose the sunlight and air in his house

**(+) Mike Dudum, Project Sponsor**

- This is a good project and looking forward to building it.

**(+) Alfred Sanchez**

- In support of the project



**(+) Leo Casadilla**

- In support of the project

**ACTION:** Took Discretionary Review and disapproved the project

**AYES:** Chinchilla; Fay; Baltimore; Joe; Lim; Salinas; Theoharis

15. 2001.014D (D. DIBARTOLO: (415) 558-6291)  
42-44 AUGUST ALLEY - east side, in the block bounded by Powell, Mason, Union and Green Streets. Assessor's Block 0118, Lot 016 - Staff-initiated request for Discretionary Review of Building Permit Application 2001/0921/8977, to merge two dwelling units to one dwelling unit in an RM-2 (Residential, Mixed, Moderate-Density) District, and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Take Discretionary Review and Disapprove the Building Permit.

**SPEAKER(S):****(+) Robert Mallewell, Project Sponsor**

- Would like to raise his family in this house

**(+) Blanche Streeter**

- Urged the Commission to consider Mr. Mallewell's request

**(+) Herb Kosovitz**

- In favor of the project

**ACTION:** Took Discretionary Review and disapproved the building permit

**AYES:** Chinchilla, Fay, Baltimore, Joe, Lim, Salinas; Theohairs

16. 2001.1130DD (G. CABREROS: (415) 558-6169)  
147 6<sup>TH</sup> AVENUE - west side between Lake and California Streets, Lot 013 in Assessor's Block 1366 - Requests for Discretionary Review of Building Permit Application Nos. 2001/0713/3641 and 2001/0713/3642 proposing to demolish the existing two-story over garage, single-family home and to construct a three-story over garage, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.  
 (Continued from Regular Meeting of February 28, 2002)

**SPEAKER(S):****(+) Stephen Williams, representing the project sponsor**

- Emphasize retention of affordable housing. Provision made for providing more affordable housing.

- Finding rent controlled middle class housing up there is indeed a rarity

**(-) Philip Fox, Discretionary Review requestor**

- Concerned about the loss of air, light and privacy on his property
- Respectfully request that this project be reduced to not extend as far as it does.

**(-) Maureen Fox**

- This project has two large structures
- It is really out of proportion with the rest of the neighborhood

**(-) Dana Ketchan**

- All neighbors are objecting to this proposal
- Will not preserve the character of the neighborhood
- We want to preserve our green belt view

**(-) Beth Tenney**

- Urge the Commission to disapprove this project

**(+) Joel Yodowitz, Ruben and Alter**

- Urged the Commission to approve the project

**(+) Alan Martinez, Architect**

- Gave a description of the project

**1) ACTION:** Motion to not take discretionary review and approve the building permit

**YES:** Fay; Baltimore; Theoharis  
**NAYES:** Lim, Salinas, Joe  
**ABSENT:** Chinchilla

**2) ACTION:** At the call of the chair (Fay)), continued to April 4, 2002 to allow the absent commissioner to participate in the final action.

17. 2001.0734D (S. SANCHEZ: (415) 558-6679)  
1745 CLEMENT STREET - south side between 18th and 19th Avenues, Lot 036 in Assessor's Block 1450 - Request for Discretionary Review of Building Permit Application Number 2001/0227/3029, to legalize a second story deck with stairs providing access to the rear yard, constructed without benefit of permit at the rear of a single-family building within an RM-1 (Residential, Mixed, Low-Density) Zoning District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.  
**DISCRETIONARY REVIEW WITHDRAWN**
18. 2001.0973DDDDDD (G. CABREROS: (415) 558-6169)  
2518 UNION STREET - north side between Scott and Divisadero Streets, Lot 008 in Assessor's Block 0945 - Requests for Discretionary Review of Building Permit Application 2001/0411/6580 proposing to construct a three-story horizontal addition approximately 31 feet wide by 15 feet deep at the rear of an existing two-story over garage, single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. A terrace alteration above the garage and side bay extensions are also proposed.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.  
 (Continued from Regular Meeting of February 28, 2002)

**SPEAKER(S):**

**(-) Douglass Goldman**

- Owned his property for 16 years
- Significant bulk of this building, would block light into his house
- It is totally out of character with the neighborhood
- The addition of a third floor deck has caused a major intrusion upon the privacy of their master bedroom.
- These reasons are sufficient to deny this extension

**(-) Robert McCarthy, on behalf of Douglass Goldman**

- Gave an overview of the project

**(-) Lu Blazej, representing Discretionary Review requestor**

- Gave a historical and architectural report on the property

**(-) Susan Lander Keegin, Property Owner**

- This project is unnecessarily massive for its location. There are still various decks and windows that compromise the privacy
- It would set a bad precedent to the next owner of our property. How would they reclaim the light, air and privacy taken away by this project?
- Scale of this project can and should be reduce as recommended

**(-) Michael Hexner**

- Concerned about the mid-block open space and also about the architectural integrity of the building--particularly the roof line

**(-) Mark Schlesinger**

- Would like to preserve the open space in his back yard

**(-) Lisa Goldman**

- Concerned about her privacy

**(+) Joe O'Donoghue**

- Supports the Discretionary Review requestor
- (+) David Cincotta, on behalf of Mark and Lisa Cubby**
- Gave an overall description of the project
- Urged the Commission to listen to the Department's recommendation
- (+) Mark Cubby, property owner**
- Would like to maintain the rear yard open space
- Home needs renovations. It is not seismically up to date. It has (not) been structurally reinforced since the 1930s.
- Our project fits within Neighborhood Residential Guidelines
- (+) Lisa James**
- Supports project
- (+) Patricia Vaughney, Cow Hollow Neighborhood**
- Supports project

**ACTION:** Took discretionary review and approved the project as revised:

- 1) **The project shall maintain a 9-foot side setback along the east property line, north of the existing garage.**
- 2) **The project shall maintain a 3-foot side setback along the west property line.**
- 3) **The top floor and historic roof from are to be preserved. No expansion of the top floor is allowed.**
- 4) **The proposed additions to the first two floors of the rear of the building shall be no less than 61 feet 7 inches from the rear property line.**
- 5) **The roofing and roof angle of the existing kitchen addition at the west property line shall be maintained and set the standard for any new addition.**
- 6) **No decks or balconies are permitted from the top floor, with the exception of the deck above the library on the east side of this home. The deck over the expanded garage shall not be enlarged.**
- 7) **New exterior finishes should match in material, detail, scale, design, quality and color, the existing historic materials of the original building design.**

**AYES:** Chinchilla; Fay; Baltimore; Joe; Lim; Salinas; Theoharis

## H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(s):**

**Patricia Vaughney**

Re: Demolition Policy

Adjournment: 7:30 pm

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF  
THE PLANNING COMMISSION ON THURSDAY, APRIL 18, 2002**

**ACTION:       Approved**

**AYES:         Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis**

**ABSENT:       Fay**





6F  
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1/21/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, March 21, 2002

**1:30 PM**  
Regular Meeting

DOCUMENTS DEPT.

APR 24 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:**

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:40 p.m.**

**STAFF IN ATTENDANCE:** Larry Badiner -Zoning Administrator/Acting Director; Pete Vollman; Adam Light; Mary Woods; Geoffrey Nelson; Dan DiBartolo; Dan Sider; Jonathan Purvis; John Billovits; Dario Jones; Rick Crawford; Michael Smith; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0067D (V. MASSEHIAN: 415-558-6363)  
650A 45TH AVENUE - east side between Balboa Street and Anza Street, Lot 030A in Assessor's Block 1587 - Request for Discretionary Review of Building Permit Application No. 2001/12/06/4728 proposing to build a two-story addition to the existing one-story, single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.  
**DISCRETIONARY REVIEW HAS BEEN WITHDRAWN**
- 2a. 2001.0190D (M. WOODS: 415- 558-6315)  
2548 CALIFORNIA STREET - north side between Steiner and Pierce Streets, Lot 9 in Assessor's Block 634 - Request for Discretionary Review of Demolition Permit Application No. 2002/0214/9237, which supersedes withdrawn Demolition Permit Application No. 2001/0103/9061, proposing to demolish the existing one-story garage at the rear of the lot, facing Perine Place, in the Upper Fillmore Street Neighborhood

Commercial District and a 40-X Height and Bulk District. A Variance to modify rear yard requirements was granted for the rebuilding of the garage and the construction of the new dwelling unit under Case No. 96.319V.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

**(Proposed for Continuance to May 2, 2002)**

SPEAKER(S): None

ACTION: Continued as proposed.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

- 2b. 2001.0191D (M. WOODS: 415- 558-6315)  
2548 CALIFORNIA STREET - north side between Steiner and Pierce Streets, Lot 9 in Assessor's Block 634 - Request for Discretionary Review of Building Permit Application No. 2000/0408/6762S proposing to (a) demolish and rebuild the rear portion (approximately two-thirds) of the existing two-story building, containing two dwelling units, at the front of the lot, facing California Street; (b) add a newly excavated ground level; (c) move the existing building forward by approximately 8 feet, and raise the building approximately 2 feet in order to establish a ground floor at grade level; and (d) add a partial fourth floor, in the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed alterations were previously approved by the City Planning Commission under Motion No. 14442 for Case No. 96.319C.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

**(Proposed for Continuance to May 2, 2002)**

SPEAKER(S): None

ACTION: Continued as proposed.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

3. Consideration of Adoption - draft minutes of March 7, 2002.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

4. Commission Matters

**Commission Secretary:** Reminded the Commissioners to turn in their Conflict of Interest forms before April 1, 2002.

**Commissioner Salinas:** Last week he was taken back by the fact that the Commission did not have demo and soundness reports. He would just like to clarify to project sponsors and their representatives that this is very important. His comments were not directed at planning staff.

**Commissioner Theoharis:**

Re: Proposal from Supervisor Peskin related to his secondary unit ordinance. She would like someone from staff to contact the Supervisor and would like any and all correspondence that has transpired between them and SPUR.

She would like clarification regarding the Leno legislation regarding inclusionary housing that was heard by the Board of Supervisors on March 18, 2001.

**C. DIRECTOR'S REPORT****5. Director's Announcements**

Larry Badiner, Acting Director, thanked Commissioner Salinas for his comments and for the clarification.

**6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS*****Transportation and Land Use Committee******1) Re: Interim Zoning***

- This legislation was approved with a +2-1 vote with Supervisor Hall voting No. It was sent out of committee to the full Board.

***2) Re: Prohibition on Live/Work Units***

- This legislation was heard by the Commission two weeks ago. The Commission voted against this legislation. The Committee voted to approve the legislation by a vote of +2-1, Supervisor Hall voted No. This was sent out of committee to the full Board.

***3) Re: Interim Zoning Controls and the Extension of the Live/Work Moratorium***

- The committee voted to approve the moratorium by a vote of +2-1, Supervisor Hall voted No. This was also sent out of committee to the full Board.

**Board of Supervisors Meeting*****1) Re: Leno Inclusionary Housing Legislation***

- This was approved and adopted by the Board on a +10-1, Supervisor Hall voted No. It will have a second reading on March 25, 2002. If it is adopted, it will go to the Mayor for signature.

***2) Re: Supervisor Peskin introduced a Secondary Unit Ordinance***

- This will be coming before the Commission in the near future as soon as they review it.

- This legislation will allow an additional secondary unit in residential districts. The units should be 750 feet or less in area and it is only allowed in areas near transit streets, transit hubs, neighborhood commercial districts, historic buildings that require disabled access.

**BOA - None**

- 7. 2002.01321** (P. VOLLMANN: 415-558-6405)  
**415 JACKSON STREET (a.k.a. 407 JACKSON STREET)** - south side between Sansome and Montgomery Streets - Lot 022 in Assessor's Block 0196. ~~Request~~ for notification to the Planning Commission from the Zoning Administrator pursuant to Planning Code Section 304.5, regarding an abbreviated institutional master plan for an 8,500 square foot post-secondary advertising school (Miami Ad School) occupying the existing basement. The site is located in a C-2 Zone, a 65-A height and bulk district, and the Washington-Broadway-1 Special Use District. The Commission may or may not opt to hold a future public hearing, for the receipt of public testimony only.  
**SPEAKER(S):** None  
**ACTION:** The Commission opted not to hold a public hearing.

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

SPEAKER(S): None

**E. REGULAR CALENDAR**

8. 2002.0113L (A. LIGHT: 415-558-6254)  
1-33 COLUMBUS AVENUE (A.K.A. 612-624 WASHINGTON STREET) - Drexler Building/Colombo Building, northwest corner of Columbus Avenue and Washington Street. Assessor's Block 195, Lot 4. Request for Planning Commission approval on the proposed landmark designation, which was initiated by the Board of Supervisors on January 28, 2002. The two-story, concrete and marble, classical revival, retail and office building was constructed in 1913. The subject property is zoned CCB (Chinatown Community Business) District and is in a 65-D/2 Height and Bulk District.  
 Preliminary Recommendation: Approval

ACTION: Motion to excuse Commissioner Lim  
 AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

SPEAKER(S):

**(+) Luigi Barassi**

- He is in support of this project.
- There is an excellent plan here.

ACTION: Approval of Landmark Designation of 1-33 Columbus Avenue, the Colombo Building, as San Francisco Landmark No. 237, with recommendation of final approval to the Board of Supervisors.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis  
 EXCUSED: Lim  
 MOTION: 16363

9. 2001.0015Z (M. WOODS: 415-558-6315)  
1052 OAK STREET - north side between Divisadero and Scott Streets, Lot 5 in Assessor's Block 1216 - Request for reclassification of a portion (approximately 3,136 square feet) of Lot 5 (a part of the Touchless Car Wash site) from NC-2 (Small-Scale Neighborhood Commercial) District to RH-3 (Residential, House, Three-Family) District. Currently, the entire lot area, approximately 4,199 square feet, of Lot 5 is zoned NC-2. This reclassification is to allow the construction of three new residential units in accordance with Planning Commission Motion No. 16036 relating to a conditional use authorization approved on November 16, 2000 to expand the car wash.  
 Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.  
 (Continued from Regular Meeting of January 17, 2002)

SPEAKER(S):

*Re: Continuance***Harry O'Brien**

- He realizes that the Commission does not want to entertain a continuance yet he is willing to withdraw the application if necessary but he would prefer to have this case continued.
- The reason why there is a continuance is because there has been a rezoning petition, which will be brought forward to the Board of Supervisors.
- He would like to have one last opportunity to work with the neighborhood before this petition goes before the Board of Supervisors.

**Patricia Vaughney**

- The neighborhood has lost faith in anything related to the car wash.
- The car wash has violated all the laws.
- This has escalated to the point that they are beyond comprehension.
- They can try to do a continuance for two weeks.

ACTION: Without hearing on the case, continued to April 4, 2002  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis



10. 2001.1169C (G.NELSON: 415-558-6257)  
1101-1123 FILLMORE STREET - at the northwest corner of Fillmore Street and Golden Gate Avenue; Lot 002 in Assessor's Block 0755 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of three panel antennas on the roof of a 49-foot tall, five-story apartment building, within a Moderate Scale Neighborhood Commercial (NC-3) Zoning District and a 50-X Height and Bulk District. The project site is a Preferred Location Preference 2 per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines, as it is a co-location site. The project site is currently occupied by a Sprint PCS installation. The proposed site would be operated as part of MetroPCS' wireless telecommunications network.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) **Debra Stein**

- There were community meetings held.
- There are 50 proposed sites on the wireless communications 5-year plan.
- This site is necessary for this area.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16364

11. 2002.0068C (D. DIBARTOLO: 415-558-6291)  
965 SUTTER STREET - Between Hyde and Leavenworth Streets; Lot 022 in Assessor's Block 0300 - Request for Conditional Use Authorization pursuant to Section 209.6(b) of the Planning Code to install a total of six panel antennas at the roof, and associated equipment cabinets within the basement, of the 80-foot tall mixed-use structure. Each panel antenna would measure approximately 52 inches high by 6 inches wide by 2 inches deep, and would be mounted on the existing 98" tall penthouse and will be painted to match its color. Two antennas each would be mounted on the east, west and south faces of the existing rooftop penthouse, not extending above the height of the penthouse. The associated equipment cabinets would be located within the basement and a small accessory antenna for the reception of GPS data would be mounted on the roof, all as part of the Metro PCS wireless network. The site is a Preference 5 location under the WTS Guidelines.  
Preliminary Recommendation: approval with conditions

SPEAKER(S):

(+) **Debra Stein – Representing Metro PCS**

- There are actually six antennas at this site instead of three mentioned in the case report.
- Metro PCS reviewed 20 alternate sites.
- This particular site fits into Metro PCS' five year plan.
- There were community meetings and there was only one attendee.

(+) **Maryann Miller – Metro PCS**

- There are 20 alternative sites that Metro PCS evaluated.
- There were 19 sites of a higher preference in this area yet none of these sites were technically feasible for antennas.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16365



Item 12 was taken out of order and heard after item 10:

- 12a. 1999.813CD (D. SIDER: 415-558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Request for Conditional Use Authorization to allow the construction of dwelling units pursuant to Planning Code Section 215(a) in an M-1 (Light Industrial) Zoning District. The proposal is to demolish an existing industrial building and construct a three and four-story building containing 9 dwelling units and 9 parking spaces in a ground level garage. The property is within an M-1 Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

**SPEAKER(S):**

**(+) David Silverman – Reuben and Alter**

- The project has been scaled back since it's original application.
- The project sponsor has met with all interested neighbors and organizations.
- He thanked staff for the years of hard work on this project.
- The project will dramatically improve the neighborhood.

**(+) Toby Levy – Project Architect**

- Described the project.

**(+) Joe Boss – Potrero Boosters and Dogpatch**

- This project has come a long way.
- This design is much more in keeping with the neighborhood.
- He supports the project completely.

**(-) Kepa Askenasy**

- She lives near the project.
- She would have hoped to have this project wait since they are currently holding neighborhood workshops related to projects in this area.
- She would be happy to have this hearing continued in order to move further along in their workshops and discuss a few changes to the project with the project sponsor.

**(-) Rod Minott**

- He lives in Potrero Hill
- He picked this area because of its special and unique character graced with openness and sun.
- This is the wrong project for this site.
- He would like to have this hearing continued in order to come to an agreement.
- The project is too out of scale for the neighborhood.
- This project should be continued until the neighborhood finishes a master plan.

**(-) Yvonne Gavre**

- She lives on Mariposa Street.
- She has seen various changes to her neighborhood.
- This proposed building will take away the view she has of downtown.
- This project is too large.

**(-) Andrea Cochman**

- She lives in Potrero Hill.
- The project has come a long way and she believes that they are nearly there.
- If there were a continuance, this would allow the neighborhood to come to an agreement.
- She is concerned with the roofline elevation, the rear deck on the top floor, the details of the building, and the mass of the building.

ACTION No. 1: Motion to Approve

AYES: Fay, Joe, Theoharis

NAYES: Lim, Baltiomre, Salinas, Chinchilla

RESULT: The motion failed

ACTION No. 2: Intent to Disapprove. Final Language April 4, 2002

AYES: Lim, Baltimore, Salinas, Chinchilla

NAYES: Fay, Joe, Theoharis

- 12b. 1999.813ECD (D. SIDER: 415-558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Mandatory Discretionary Review of a proposal to demolish a 3,000 square foot existing industrial building and construct a new building containing 9 dwelling units. Planning Commission IPZ Policy (Resolution Number 16202) discourages the development of housing within an IPZ. The property is within an M-1 (Light Industrial) Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take D.R. and approve the project as proposed.

SPEAKER(S): Same as those listed in item.12a

ACTION No. 1: Motion to not take discretionary review and approve

AYES: Fay, Joe, Theoharis

NAYES: Lim, Baltimore, Salinas, Chinchilla

RESULT: The motion failed

ACTION No. 2: Intent to take discretionary review and disapprove.

Final Language April 4, 2002

AYES: Lim, Baltimore, Salinas, Chinchilla

NAYES: Fay, Joe, Theoharis

- 13a. 2000.1164CD (J. PURVIS: 415-558-6354)  
1880 MISSION STREET - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Request for Conditional Use authorization under Planning Code Sections 215, 271 and 304, and Board of Supervisors Resolution No. 518-01 (Mission District Interim Controls) for a Planned Unit Development (PUD) exceeding bulk limits, and to allow construction of up to 183 dwelling units, 26,000 square feet of commercial space and up to 176 independently accessible off-street parking spaces. Exceptions are requested from rear yard, dwelling unit exposure and parking requirements of the Planning Code and to provide less than 25% of the dwelling as affordable. The site is within a C-M (Heavy Commercial) Zoning District, a 50-X and 65-B Height and Bulk District and is subject to the Mission District Interim Controls. Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, continued to April 25, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

- 13b. 2000.1164CD (J. PURVIS: 415-558-6354)  
1880 MISSION STREET - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Mandatory Discretionary Review of a proposal to demolish two light industrial buildings and construct a mixed-use Planned Unit Development. Mission District Interim Controls (Board of Supervisor's Resolution No. 518-01) require Discretionary Review for all land use changes in the subject area. The property is within a C-M (Heavy Commercial) Zoning District, and a 50-X and a 65-B Height and Bulk District. Preliminary Recommendation: Do not take D.R. and approve the project as proposed.

SPEAKER(S): None

ACTION: Without hearing, continued to April 25, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

14. (J. BILLOVITS: 415-558-6390)  
MARKET AND OCTAVIA BETTER NEIGHBORHOODS PLAN - Informational  
 Presentation.

SPEAKER(S): None

ACTION: Informational presentation only.

#### F. DISCRETIONARY REVIEW HEARING

At Approximately **4:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

15. 2001.0908DDDDDDDD (F. JONES: 415-558-6477)  
166-168 YERBA BUENA AVENUE - west side between Maywood Drive and Santa Paula Avenue, Lot 036 and Lot 037 in Assessor's Block 3078 - Requests for Discretionary Review of Building Permit Application Nos. 2001/07/24/4359 and 2001/07/24/4356, proposing for each permit the new construction of a two-story, single-family dwelling on two adjacent interior vacant lots in an RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve as revised.

SPEAKER(S):

*Re: Recusal of Commissioner Theoharis*

**Sue Hestor**

- She sent a letter to the Commission, which raised questions regarding a fundraiser that was given by Commissioner Theoharis at her house before the last election which developers; their attorneys and their consultants were invited. She believes that this is a violation of the law, which has been in affect for a very long time. Commissioners are different from elected officials. Commissioners cannot solicit campaign contributions from anyone who has been before them in the preceding three months. If someone does make a contribution, there is a conflict for a year after the contribution.
- She was aware of this event from reading the newspaper and read the reports online from the Ethics Commission.
- This event was held on September 23, 2002 and Andrew Junius attended this event and made a campaign contribution the previous week of \$500.00.
- Mr. Junius wrote a letter stating that the contribution was rescinded.
- She believes that this does not apply in this instance since she believes that Mr. Junius did intend to attend this function.
- If any other Commissioners attended this event and solicited funds, they also have conflicts under the law.
- This is a very serious matter and she would like to have a response from Commissioner Theoharis or her attorney and not from Mr. Junius.

RESPONSE:

**Commissioner Theoharis**

- She has not violated the law and will not recuse herself.

-

*Re: Merits of the case*

(-) **Sue Hestor – Representing three of the DR Requestors (Ms. Lynn Hall, Ms. Miller, Mr. Hogan)**

- Although the project has been revised, one of the issues from her clients is what is the nature of the landscaping?
- The lot is heavily wooded with lots of vegetation. These trees are going to come down.
- Her clients will see walls from the rear of their house.
- She displayed graphics of current vegetation.
- The Commission has not been presented with the revisions.

- The scale of the house is very massive.
- There is nothing in the staff analysis related to the problems when there is a very large development down a grand driveway that has cars coming in the middle of the lot.
- The lot is located behind her clients' houses. There is a massive amount of space for a driveway. The driveway is just over scaled.
- The house could be setback 8 feet and would reduce the impact on her client's houses.
- The project sponsor has not addressed the concerns of his neighbors.
- There are issues about soil stability as well as major engineering issues.
- The Commission should require scaling the building back as well as putting serious restrictions on this project like prohibiting the driveway to be used as a roadway for events with large parties and large amounts of cars parked on other people's back wall.

**(-) Susan Patton Murray – DR Requestor**

- She is here on behalf of her mother.
- They are concerned about the size of the project.
- They are concerned about maintaining the integrity of the hillside and the ramifications of the costs associated with the engineering required to deal with this complex site.
- She read a letter from a civil engineer expressing concerns about the hillside.

**(-) Frank M. Van Kurk – DR Requestor**

- They have had serious slope problems.
- His mother was forced to have an engineered footing designed to prevent the down slope moving of the home.
- He is concerned that any excavation below the property will cause problems to several of the homes.
- Mr. Akabato's employees have entered his mother's property to remove vegetation and this has not been brought up.

**(-) Arnie Lerner**

- The perspective views are very misleading.
- The projects will be on the faces of the DR requestors.
- The plans kind of disguise how large this project will really be.

**(+) Andrew Junius – Project Sponsor representative**

- There are a lot of neighbors who are in support of the project although they have similar impacts.
- The scale issue is an important one here but the size of the lot is quite large.
- The topography hides most of the project from several of the neighbors.

**(+) Mr. Stephen Antanaros – Project Architect**

- Displayed diagrams of the project.
- Described the architectural aspects of the project.

**ACTION:** Took discretionary review and approved the project as revised by project architect: The revision proposed is to reposition 168 Yerba Buena Avenue.

**AYES:** Baltimore, Lim, Fay, Salinas

**NAYES:** Theoharis, Joe, Chinchilla

16. 2001.527D (R. CRAWFORD: 415-558-6358)  
**115 ELLINGTON AVENUE** - southeast side between Mt Vernon and Ottawa Avenues.  
 Assessor's Block 7043 Lot 003F - Request for Discretionary Review of Building Permit Application 2000/12/18/8198 proposing a one story vertical addition and a 12 foot horizontal addition at the rear of a single family dwelling in an RH-1, (Residential House, One Family) district and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Take Discretionary Review and modify the Project.

**SPEAKER(S):** None

**ACTION:** Without hearing, continued to April 4, 2002

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis



17. 2001.1175DDD (M. SMITH: 415-558-6422)  
630 28<sup>TH</sup> AVENUE STREET- north side of the street between Douglass and Diamond Streets, Lot 004A in Assessors Block 6605, request for Discretionary Review of Building Permit Application No. 2001/10/31/2129, proposing to construct a three-story rear horizontal addition on an existing two-story single-family house, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and modify the Project.

SPEAKER(S): None

ACTION: All Three Discretionary Review Applications have been withdrawn.

#### G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 6:10 pm

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, April 18, 2002**

**ACTION:** Approved

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay



55  
10  
4/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, April 4, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAY 2 2002

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** None

SAN FRANCISCO  
PUBLIC LIBRARY

THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:40 p.m.

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Jean Paul Samaha; David Alumbaugh; Amit Ghosh; Mary Woods; Victoria Ryan; Kate McGee; Kelley Amdur; Rick Crawford; Michael Smith; Jamilla Vollman; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2001.0535E (B.WYCKO: (415) 558-5972)  
724-730 VAN NESS AVENUE - Appeal of Preliminary Negative Declaration. The proposed project involves the demolition of two existing one-story buildings at 724-730 Van Ness Avenue and 650-660 Turk Street, and the construction of a new building consisting of an approximately 130-foot tall, 14-story tower fronting on Van Ness Avenue and a 67-foot tall, 7-story tower fronting on Turk Street above a two-level subsurface parking garage and ground floor retail space, accessory office and recreation/laundry room. The project site is located on Lots 4 and 8 in Assessor's Block 742. The vacant 724 Van Ness Avenue building was formerly occupied by about 4,500 square feet of retail space. At 730 Van Ness Avenue, there currently exists about 1,500 square feet of restaurant space. The existing structure at 650-660 Turk contains 9,750 square feet and is currently occupied by an auto repair business at street level and an auto glass repair shop at the mezzanine level. The new building would consist of about 134 dwelling units on floor levels 2 through 14 with lobby access from Van Ness Avenue, 45 independently-accessible parking spaces for the dwelling units on two parking levels with vehicular access from Turk Street, and ground floor space allocated to an approximately 1,530

square foot community/laundry room, about 830 square feet of office space accessory to the residential complex, and about 2,200 square feet of retail space. Both project site lots are within a RC-4 District (Residential-Commercial Combined District, High-Density District) and the Van Ness Avenue Special Use District (SUD) as well as a 130-V Height and Bulk District. The project would require Conditional Use authorization for new construction over 40 feet in height. The project sponsor would also need to seek Variances regarding off-street parking and loading requirements and for the height of the mechanical penthouse on the tower which fronts Van Ness Avenue.

(Continued from Regular Meeting of March 21, 2002)

**(Proposed for continuance to May 23, 2002)**

SPEAKER(S): None

ACTION: Continued to May 23, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

- 2a. 2001.1027CR (G. NELSON: (415) 558-6257)  
**3224-3252 PIERCE STREET** - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for a finding of Conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code, to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the City-owned Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. A General Plan Referral is required for any ordinances or resolutions concerning a change of use of any public property, building, or structure. Per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a public facility.  
Preliminary Recommendation: Finding of Conformity with the General Plan  
(Continued from Regular Meeting of March 14, 2002)  
**(Proposed for Continuance to April 11, 2002)**

SPEAKER(S):

*Re: Continuances*

**Patricia Vaughey**

- There will be many speakers on April 11, 2002 so she would like the project to be continued to May 9, 2002 since the Commission calendar is lighter.

**Daniel Fratten**

- He just needs an additional week to put information together.

- There is no need to continue it to May 9, 2002.

ACTION: Continued to April 11, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

- 2b. 2001.1027CR (G. NELSON: (415) 558-6257)  
**3224-3252 PIERCE STREET** - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. Because the parking facility is the property of the City and County of San

Francisco, the application also requires a finding of conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code. Per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a public facility.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of March 14, 2002)

**(Proposed for Continuance to April 11, 2002)**

SPEAKER(S): Same as those listed for item 2a.

ACTION: Continued to April 11, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

3. 2001.1098H (A. LIGHT: (415) 558-6254)  
216 STOCKTON STREET - east side between Geary and Post Streets, Assessor's Block 309, Lot 13. A three story, black granite-clad Art Moderne-style Category IV Building in the Kearny-Market-Mason-Sutter Conservation District, zoned in a C-3-R (Downtown, Retail) District and is in a 80-130-F Height and Bulk District. Request for Permit to Alter under Article 11 of the Planning Code to allow exterior alterations to the façade above the ground floor.

Preliminary Recommendation: Approval

**(Proposed for Continuance to April 11, 2002)**

SPEAKER(S): None

ACTION: Continued to April 11, 2002

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

4. 2000.1183DDD (SANCHEZ: 558-6679)  
1725 LAKE STREET - south side between 18th and 19th Avenues, Lot 035 in Assessor's Block 1378 - Requests for Discretionary Review of Building Permit Application No. 2000/07/03/4299'S' proposing to add two floors, an extension to the rear and additions to both sides and the front of an existing single-family house in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of January 24, 2002)

**BUILDING PERMIT APPLICATION WITHDRAWN**

## **B. COMMISSIONERS' QUESTIONS AND MATTERS**

5. Commission Matters  
None

## **C. DIRECTOR'S REPORT**

6. Director's Announcements  
None
7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**  
*Re: Planning Department Audit*  
The draft audit is out and the department is reviewing it for accuracy. The audit will be available on April 15 to the Board of Supervisors as well as the public. There will be a hearing sometime thereafter to discuss this with the Commission.

*Re 427 31<sup>st</sup> Avenue - antenna*

This case will be heard by the Board of Supervisors on April 8, 2002.

Transportation and Commerce Committee

*Re: Work Program and Budget*

- Staff was present at this hearing to respond to their request to discuss the results of the current fiscal year's work program and budget.
- The Board is finally getting educated regarding the budget process. They have requested that they be given an opportunity to help shape the goals and objectives of the Department's work program.
- The Committee also took issue that once a budget decision is made; the Department has the opportunity to reshape the work program. The Committee was surprised by this and raised a lot of questions.
- It is not easy to start a work program in January and forecast what the work program will be and what it will cost and then in June make a decision that will fall short.
- Staff suggested that this should be done through a public hearing which would allow the Commission as well as the public to come to the hearing and provide their input.

*Re: Inclusionary Housing Policy*

- At the end of 45 days, staff was to come before the Commission with a presentation about some proformas of various examples of projects that would be subject to inclusionary housing. Today was the target date.
- The ordinance that was before the Commission, which was not approved by the Commission but approved by the Board of Supervisors, supercedes the Commission's policy.
- Director Green will discuss with the Commission President as to whether or not it is necessary to bring this before the Commission.

**BOA**

*Re: 148 7<sup>th</sup> Avenue*

- On June 7, 2001, this Discretionary Review was before the Commission.
- The Commission felt that the project was appropriate and did not take Discretionary Review.
- The Board upheld the Commission's decision +5-0.

#### **D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public may address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing. Each member of the public may address the Commission for up to three minutes.

**Rod Minott**

*RE: 131 Missouri Street*

- He urges the Commission to uphold the disapproval of the 131 Missouri Street project
- The neighborhood believes that the project is still wrong for the neighborhood.
- The neighborhood would like this project to be suspended until a master plan of the neighborhood is completed. The various neighborhood groups of the area are working on this master plan.

**Horlino M. Tabios**

*Re: 131 Missouri Street*

- He has a business in the neighborhood.
- This project is proposed in a mostly industrial district.
- He is concerned about the height of the building



**Kepa Askenasy***Re: 131 Missouri Street*

- She would like the Commission to uphold the disapproval of this project.

**Judie Guerriero***Re: 131 Missouri Street*

- There are various neighbors who are angry about this project.
- She hopes that the Commission disapproves this project.
- This project has been wrong for the neighborhood since the beginning.
- This project is too large for this street.

**David Silverman – Reuben and Alter***Re: 131 Missouri Street*

- He is requesting that the Commission approve this project with the industrial space.

**Craig Johnson***Re: 131 Missouri Street*

- He supports the project.
- The developer has addressed all of his issues.
- Currently there is only a shed there and this project will be a great improvement to the area.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED**

8. 2001.1130DD (G. CABREROS: (415) 558-6169)  
147 6<sup>TH</sup> AVENUE - west side between Lake and California Streets, Lot 013 in Assessor's Block 1366 - Requests for Discretionary Review of Building Permit Application Nos. 2001/0713/3641 and 2001/0713/3642 proposing to demolish the existing two-story over garage, single-family home and to construct a three-story over garage, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of March 14, 2002)

**NOTE:** On March 14, 2002, following public testimony the Commission closed the public hearing. The Commission entertained a motion to not take Discretionary Review and approve the project. The motion failed to carry by vote of +3 -3, with Commissioners Lim, Salinas and Joe voting no. Commissioner Chinchilla was absent. The matter was continued to April 4, 2002, at the call of the chair to allow the absent Commissioner to participate in the final action.

**NOTE:** On March 26, 2002, one of the Discretionary Review Requestors, Beth Tenny, a tenant at the subject property, withdrew her request for discretionary review. A letter requesting her withdrawal has been provided to the Commission Secretary. Because there were two discretionary review requestors, the matter is still before the Commission for final action.

SPEAKER(S): None  
ACTION: Disapproved  
AYES: Joe, Lim, Salinas  
NAYES: Baltimore, Fay, Theoharis, Chinchilla  
RESULT: The motion failed

ACTION: No Discretionary Review and Approve the Project  
AYES: Baltimore, Fay, Theoharis, Chinchilla  
NAYES: Lim, Salinas, Joe



- 9a. 1999.813CD (D. SIDER: 415-558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Request for Conditional Use Authorization to allow the construction of dwelling units pursuant to Planning Code Section 215(a) in an M-1 (Light Industrial) Zoning District. The proposal is to demolish an existing industrial building and construct a three and four-story building containing 9 dwelling units and 9 parking spaces in a ground level garage. The property is within an M-1 Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

(Continued from Regular Meeting of March 21, 2002)

**NOTE: On March 21, 2002, following public testimony, the Commission closed the public hearing. The Commission entertained two motions on this matter: 1) a motion to approve staff recommendations. The motion failed to carry with a +3 -4 vote with Commissioners Lim, Baltimore, Salinas and Chinchilla voting no. 2) A motion of intent to disapprove. This motion was approved by a +4 -3 vote with Commissioners Fay, Joe and Theocharis voting no. The matter was continued to April 4, 2002 for final action.**

SPEAKER(S): None

ACTION: Disapproved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

NAYES: Theocharis and Fay

MOTION: 16366

- 9b. 1999.813ECD (D. SIDER: 415-558-6697)  
131 MISSOURI STREET - east side between 17<sup>th</sup> and Mariposa Streets; Lot 024 in Assessor's Block 3985 - Mandatory Discretionary Review of a proposal to demolish a 3,000 square foot existing industrial building and construct a new building containing 9 dwelling units. Planning Commission IPZ Policy (Resolution Number 16202) discourages the development of housing within an IPZ. The property is within an M-1 (Light Industrial) Zoning District, an IPZ (Industrial Protection Zone), and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take D.R. and approve the project as proposed.

(Continued from Regular Meeting of March 21, 2002)

**NOTE: On March 21, 2002, following public testimony, the Commission closed the public hearing. The Commission entertained a motion of intent to take discretionary review and disapprove. This motion was approved by a +4 -3 vote with Commissioners Fay, Joe and Theocharis voting no. The matter was continued to April 4, 2002 for final action.**

SPEAKER(S): None

ACTION: Took Discretionary Review and Disapproved the Project

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

NAYES: Theocharis and Fay

## F. REGULAR CALENDAR

10. 2001.0015Z (M. WOODS: 415-558-6315)  
1052 OAK STREET (AKA 444 DIVISADERO AND 1060-62 OAK STREET) - north side between Divisadero and Scott Streets, Lot 5 in Assessor's Block 1216 - Request for reclassification of a portion (approximately 3,136 square feet) of Lot 5 (a part of the Touchless Car Wash site) from NC-2 (Small-Scale Neighborhood Commercial) District to RH-3 (Residential, House, Three-Family) District. Currently, the entire lot area, approximately 4,199 square feet, of Lot 5 is zoned NC-2. This reclassification is to allow the construction of three new residential units in accordance with Planning Commission

Motion No. 16036 relating to a conditional use authorization approved on November 16, 2000 to expand the car wash.

Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.  
(Continued from Regular Meeting of March 21, 2002)

SPEAKER(S): None

ACTION: Project Withdrawn

11. 2002.0060C (V. RYAN: (415) 558-6812)  
2325 UNION STREET - southwest corner of Union and Steiner Streets, Lot 22 in Assessor's Block 538 - Request for Conditional Use authorization under Planning Code Section 209.3(f) to provide child-care for 13 or more children. The proposal is to provide a child-care facility for up to 20 children in the Parish Hall of Saint Mary the Virgin Episcopal Church, which currently provides child-care for 12 children. The property is located within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

**(+) Lawson Willard – Project Sponsor**

- He would like to have the project approved.

**(-) Sandra J. Zrnic**

- She is the owner of the property next door to the church.

- She agrees that childcare is needed.

- The children in the courtyard create a lot of noise and the courtyard is not very large.

- There are problems with parking in the area.

**(-) Michel Zrnic**

- He works at night and needs to sleep during the day.

- The increase of children will create a lot of noise.

**(-) Peter Hope**

- He has been a tenant of the Zrnic's for many years.

- There are a lot of problems in the area because of parking as well as a lot of problems with noise.

- He hopes that the commission disapproves this project..

**(+) Jennifer Peavy – Director of Pre-School**

- She hopes that the Commission approves the project to allow 15 children in the preschool.

- There are always adults who help out during receiving an/or picking up children.

- They have never received any complaints.

ACTION: Approved with Conditions: 1) The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to neighbors related to the operation of this proposal. The Project Sponsor shall report the name and telephone number of the liaison to the Zoning Administrator for reference; 2) The Project Sponsor shall prepare a written plan for the drop-off and pick-up of children at the facility. A copy of this plan shall be provided to the parents of all children enrolled at the facility and to the Zoning Administrator for reference.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
MOTION: 16367

**Item 12 followed item 14.**

12.

(D. ALUMBAUGH: 415-558-6601/J. RUBIN: 415-558-6310)

CENTRAL WATERFRONT BETTER NEIGHBORHOODS PLAN - Informational Presentation.

SPEAKER(S):

**(+) John DeCastro – President Potrero Boosters Association**

- He has been working closely with the Planning Department on this effort.
- He strongly believes that PDR should start to be thought about.
- He is glad to see that there are plans to build housing on the north end, closer to the UCSF campus.
- This process is moving along and he commends the department for the hard work.

ACTION: None. Informational Presentation Only

13a

001.1140CDV

(K. McGEE: (415) 558.6367)

1079 YORK STREET between 22<sup>nd</sup> and 23<sup>rd</sup> Streets; Lot 25 in Assessor's Block 4152 - Request for Conditional Use Authorization to legalize one market-rate dwelling unit that does not provide 25% affordability pursuant to Board of Supervisors Resolution No. 518-01, the Mission District Interim Controls. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Approve the project as proposed.

SPEAKER(S):

**(+) Zoila Herrera – Project Sponsor**

- The building has existed as is for more than 20 years.
- There are a lot of deficiencies with the unit.

**(+) Dana Diodary**

- The unit in question has a lot of deficiencies and needs repair.
- The approval of this project will allow an extra unit for this City.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim

NAYES: Theoharis and Salinas

MOTION: 16369

13b.

2001.1140CDV

(K. McGEE: (415) 558.6367)

1079 YORK STREET - between 22<sup>nd</sup> and 23<sup>rd</sup> Streets; Lot 25, Assessor's Block 4152 - Board of Supervisors Resolution No. 518-01, the Mission District Interim Controls, requires a Discretionary Review hearing for any change of use, whether or not it is considered a change of use under the Building Code. The project proposes to legalize a second dwelling unit on the property. The property is in a RH-2 Zoning District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): Same as those listed in item 13a.

ACTION: Did not take Discretionary Review and Approved the Project as Proposed.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim

NAYES: Theoharis and Salinas

13b c. 2001.1140CDV

(K. McGEE: (415) 558.6367)

1079 YORK STREET - between 22<sup>nd</sup> and 23<sup>rd</sup> Streets; Lot 25, Assessor's Block 4152 - A variance is requested to provide a second parking space (in tandem arrangement) for the second unit, in accordance with Planning Code Section 151. The property is in a RH-2 Zoning District and in a 40-X Height and Bulk District.

SPEAKER(S): Same as those listed in item 13a.

ACTION: Zoning Administrator Closed the Public Hearing and Granted the Variance.

**Item 14 was taken out of order and followed item 11.**

14. 2002.0182C

(K. AMDUR: (415) 558-6351)

141 MASON STREET - , west side between Ellis and Eddy Streets; Lot 003 in Assessor's Block 0331: -- Request for temporary conditional use authorization to expand an existing parking area within a C-3-G (Downtown General Commercial) District and a 130-F Height and Bulk District. The proposal is to demolish the existing one-story building containing two adult entertainment establishments and expand an existing surface parking lot from 15 spaces to 27 spaces.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+) Rev. Cecil Williams – Project Sponsor**

- This project is a win-win situation.
- This City will benefit from this.
- This facility will help people help themselves.

**(+) Holder Ganz - Hilton**

- He is very familiar with the neighborhood and Glide Memorial Church.
- As a corporate citizen, he is very much in favor of this project and hopes that the Commission approves this project.

**(+) Kathleen Mullen**

- This project will benefit the neighborhood since it will eliminate two adult entertainment venues.
- She hopes that the Commission will approve this project.

**(-) Steve Drack**

- He is opposed to the demolition of the building since there are already two parking lots in the neighborhood.
- The adult business employs about 40 people who will have to get new jobs.

**(-) (Did not state name)**

- There are economical issues with the employees who will be left without jobs if the adult clubs close.
- There are other clubs in the city yet they are not as clean and respectable as the Chez Paree.

- This establishment will not be able to move to another location.

- The current lots don't fill up now so there is no need for another parking lot.

- This is San Francisco and it has specific neighborhood characteristics.

**(-) Michael Charlton**

- He works in security for the adult club.
- The parking lots don't ever fill up so there is no need for another parking lot.
- He was homeless for some time and is grateful to have a job at the club.
- A lot of people think that this is a bad place, yet its just entertainment where people can go.
- He doesn't know how long it will take him to find another job.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16368



15. 2002.0111C (R. CRAWFORD: (415) 558-6358)  
 400 CASTRO STREET - (south west corner of Market and Castro Streets), Assessor's Block 2647, Lot 035 - Request under Planning Code Section 715.21 for Conditional Use Approval for a Retail Store with a floor area exceeding 1,999 square feet, to develop a 2,900 square foot clothing store (Diesel USA). This project lies within the Castro Street Neighborhood Commercial District and within the 65-B Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**(+) Jannet Crain – Project Architect**

- They have met with neighborhood groups and they have provided letters of approval for this project.

- Diesel Clothing Store will be making a donation to the Gay/Lesbian film festival.

- The exterior of the building will remain the same.

**(+) Gustavo Serina – Eureka Valley Neighborhood Association**

- The association is in full support of the project.

- The store will serve the needs of the area and the many visitors that come to the Castro.

- An Italian store coming into the former bank of Italy is an appropriate use.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16370

**E. DISCRETIONARY REVIEW HEARING**

At Approximately **4:15 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

16. 2001.527D (R. CRAWFORD: 415-558-6358)  
 155 ELLINGTON AVENUE - southeast side between Mt Vernon and Ottawa Avenues. Assessor's Block 7043 Lot 003F - Request for Discretionary Review of Building Permit Application 2000/12/18/8198 proposing a one story vertical addition and a 12 foot horizontal addition at the rear of a single family dwelling in an RH-1, (Residential House, One Family) district and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Take Discretionary Review and modify the Project.  
 (Continued from Regular Meeting of March 21, 2002)

## SPEAKER(S):

**(-) Saravena Colton – Discretionary Review Requestor**

- She would like to have this project rescheduled because although she did receive the revised plans, the co-owner is out of town.

- Because there is a significant change to the drawings, she feels that the neighborhood should be allowed to view these revised plans.

- She would like to request that the information be translated to Chinese since many of the neighbors are Chinese.

- The project will eliminate the view she has from her bedroom.

- Many of her family members have allergies so she is worried that during construction, there be proper coverage

**(-) Harry Clooner**

- He is a next-door neighbor.

- He hopes that the Commission will not approve this extension since it will block his view.

**(+) Melissa Navarro – Project Sponsor**

- She has tried to deal with all the issues from the DR requestor.



- She hopes that the Commission approves the plans as revised since it meets all the requirements from the Planning Department.

**(+) Christopher Roach**

- This project has been dragging on for a year now.

- They will be starting a family soon and would like to expand their house.

- They have tried to meet with the DR requestor in good faith but they continually refuse to answer their questions.

**ACTION:** Took Discretionary Review and approved the project as revised: Issue a notice of special restriction that states that the property will always remain as a single-family home.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

17. 2002. 0208D (M. SMITH: (415) 558-6322)  
455 AND 457 BUENA VISTA EAST AVENUE - south side of the street between Park Hill and Upper Terrace, Lot 060 in Assessor's Block 2607, staff initiated request for Discretionary Review of Building Permit Application Nos. 2001/12/10/4894, 2001/12/10/4896, and 2001/12/10/4898, proposing to demolish two residential buildings on one lot that contain a total of three dwelling units and constructing one three-story over basement, three-unit residential building, located in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
**NOTE:** On October 12, 2001 the Commission denied without prejudice a similar proposal for this property in case 2000.581C. The current proposal is being brought to the Commission as a Staff Initiated Discretionary Review because it involves similar issues.  
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permits

**SPEAKER(S):**

**(+) Brett Gladstone – Representing Project Sponsor**

- The project sponsor has lived in the neighborhood for 32 years.

- There is evidence that the building is not habitable. The project sponsor had a Building Department inspector come and provide a report that states that the building is unsound.

- The units that will be rented after the renovation will not be affordable because of renovation costs.

**(+) Harold Lewis – Geotechnical Engineer**

- He has been working in San Francisco for over 20 years.

- He recommended drilled piers for the new structure because there is a large wedge of fill that is overlying the sloping hillside.

**(+) Erich Stratmann**

- He is worried about the safety of the units.

- He is concerned about his views but would rather have a safe building.

- He supports this project.

**(+) Richard F. Zink**

- He has lived in the neighborhood for 40 years.

- He has reviewed and discussed this project with the owner and agrees with all aspects of it.

- The owner of the property has been very good to discuss issues with him and his neighbors.

- This project will really help the neighborhood.

**(+) Robert Incerti**

- He is been living in the neighborhood for 40 years.

- Grant has been a neighbor for many years and knows the character of the neighborhood.

- He is completely in support of the project.

- These properties have lived their lives and it's time for them to be rebuilt.

**(+) Don Champel**

- He has lived on Buena Vista Avenue for 36 years.
- He agrees with all the recommendations for this project.
- These ramshackle buildings should be remodeled.

ACTION: Did not take Discretionary Review and Approved the Project.

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

NAYES: Chinchilla

18. 2001.1073DD (M. SMITH: (415) 558-6322)  
**268 CHENERY STREET** - northwest side of the street between Fairmount and Miguel Streets, Lot 012 in Assessor's Block 6685 - Request for Discretionary Review of Building Permit Application No. 2001/08/10/5766, proposing to construct a two-story rear horizontal addition on a duplex building, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit  
 (Continued from Regular Meeting of February 28, 2002)

**SPEAKER(S):****(-) David Trip – Discretionary Review Requestor**

- He purchased his property in 2000. When he did, he approached his neighbors regarding the addition to his home.
- The home had been vacant for 12 years and had not been kept up so it needed extensive remodeling just to be habitable.
- He then made several modifications to the plan to deal with the issues of his neighbors.
- His issue with the project sponsor is that the extension is not within the existing footprint but extends further out.
- He is not objecting to the blocking of his view but the reduction of natural light and space to the back yard.

**(-) Aaron Kahn**

- He lives on Whitney Street, which is a home behind the DR requestor's home.
- He is opposed to the addition because it is out of character with the rest of the neighborhood and it is what the residential design guidelines intend to prevent.
- Although the house is not out of character with the one recently built, it is out of character with the rest of the homes.

**(-) Kay Laming**

- She lives on Chenery Street, next door to the project sponsor.
- She opposed the first addition since the height of the building and the large windows would intrude into her privacy.
- She is also opposed to the addition since it would set a precedent for any other additions similar in height.
- Now the Discretionary Review requestor is planning an addition that is also large in height thanks to the precedent set by the first addition of another neighbor.
- The project should not be as tall or extended as far out into the rear yard since the neighbors have been violated of their privacy already.

**(-) Paul Curtis**

- He lives in the neighborhood.
- He is concerned that this is another major addition in the area.
- His main objection is that the proposed construction is not compatible with the neighborhood.

**(-) Susan Sampson**

- She lives in the neighborhood.
- She read a letter from a neighbor who is opposed to this project.
- She has been in her house for 28 years and has rehabilitated her house and has not changed the look of her home.
- She is opposed of this project.

**(+) Zahid Sardar – Project Sponsor**

- He has lived in his property for 18 years.
- The addition has been reduced in form in order to create a series of small structures rather than one very large one.
- The homes in the neighborhood have a different character.

**(+) Yves Behar - Designer**

- Read a letter from a neighbor who is in support of the project.
- He believes that it is reasonable to expect change.
- He urges the Commission to approve the project.
- He believes also that architects should be supported.

**(+) Jim Zack**

- He lives on Chenery Street
- He supports this project.

**(+) Mark Macy – Jensen & Macy Architects**

- This is a very modest addition.
- He hopes that this project is approved.

ACTION: Did not take Discretionary Review and Approved the Project.  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
 ABSENT: Salinas

19. 2002.0016D (J. VOLLMAHN: (415) 558-6612)  
2067-2069 GREEN STREET - south side between Buchanan and Webster Streets, Lot 023 in Assessor's Block 0556. Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/0810/5771 to convert an existing 4-unit building into two dwelling units. The proposal involves interior work to remove two kitchens. The property is located within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.

**SPEAKER(S):****(+) Stephen Antanaros – Project Architect**

- He hopes that the Commission will approve the project.

**(+) Hilda Lai – Project Sponsor**

- She is the property owner.
- She hopes that the Commission will approve her project.

**(+) Loraine Kelley**

- Parking is very difficult in this area.
- Two units make more sense than four.
- Every neighbor in the area supports two units.

ACTION: Did not take Discretionary Review and Approved the Merger  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis  
 ABSENT: Salinas

**G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Hilda Lai**

- [Was not able to decipher comments]

Adjournment: 6:25 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF  
THE PLANNING COMMISSION ON THURSDAY, April 25, 2002**

**ACTION:**           **Approved**

**AYES:**           **Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis**

**ABSENT:**       **Joe**

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# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

DOCUMENTS DEPT.

MAY 22 2002

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Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
**Thursday, April 11, 2002**  
**1:30 PM**  
Regular Meeting

**PRESENT:** Chinchilla, Baltimore, Fay, Joe, Lim, Salinas  
**ABSENT:** Theoharis

THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:45 P.M.

**STAFF IN ATTENDANCE:** Gerald G. Green – Director of Planning, Larry Badiner – Zoning Administrator, Geoffrey Nelson, Michael Smith, Dan Dibartolo, Ben Fu, Victoria Ryan, Mary Woods, Kate McGee, Linda Avery – Commission Secretary

### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.1098H (A. LIGHT: (415) 558-6254)  
216 STOCKTON STREET - east side between Geary and Posts Streets, in Assessor's Block 309, Lot 13 - Request for a Permit to Alter under Article 11 of the Planning Code to permit an alteration to the front facade of a three-story limestone and black granite-clad Category IV retail building in the Kearny-Market-Mason-Sutter Conservation District, the C-3-R (Downtown, Retail) Zoning District, and a 80-130-F Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions.  
(Continued from Regular Meeting of April 4, 2002)  
(Proposed for Continuance to April 18, 2002)

**SPEAKER (S):** None  
**ACTION:** Continued as proposed  
**AYES:** Chinchilla, Fay, Joe, Lim, Salinas  
**ABENT:** Baltimore, Theoharis



**B. COMMISSIONERS' QUESTIONS AND MATTERS**

2. Commission Matters  
None

**C. DIRECTOR'S REPORT**

3. Director's Announcements  
None

4. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
Board of Supervisors:

- 417 23<sup>rd</sup>. Avenue – Antenna Case CU – Appealed to the board last Monday was continued to 4/29/02
- On 3/7/02, the Planning Commission disapproved the ordinance that provided the definition of live/work units and actually prohibited live/work. This ordinance was passed by the full Board on 3/8/02 and will go on to the Mayor's office for signature.
- The Transportation and Commerce Committee today will consider the Planning Commission's recommendation to designate the Muni Car #1.
- On April 23, The Planning Department will be before the Budget Committee to begin the budget process. We will give them a presentation of the goals and objectives that have been approved by the Commission.

Board of Appeals:

None

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public may address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing. Each member of the public may address the Commission for up to three minutes.

None

**E. REGULAR CALENDAR**

- 5a. 2001.1027CR (G. NELSON: (415) 558-6257)  
3224-3252 PIERCE STREET - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for a finding of Conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code, to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the City-owned Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. A General Plan Referral is required for any ordinances or resolutions concerning a change of use of any public property, building, or structure. Per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Preferred Location Preference 1 as it is a public facility.  
Preliminary Recommendation: Finding of Conformity with the General Plan  
(Continued from Regular Meeting of April 4, 2002)

**SPEAKER (S):**

**Debra Stein, Representing Project Sponsor Metro PCS**

- Pierce Street garage is not the same garage as the Lombard St. garage
- There were discussions 5 years ago about SPRINT's proposal to relocate the antennas toward the center of the garage away from the nearby childcare center. The Commission approved that proposal and the Board of Supervisors upheld that decision.
- In regard to compliances, the Planning Commission did approve this location for a SPRINT facility (on the Pierce St. garage).
- The Commission minutes showed that there was no condition imposed by the Commission requiring the relocation of the antenna on the Pierce St. garage

**(+/-) Robert Weller, Senior Engineer, Hammett & Edison**

- His work involves the calculation, measurement and mitigation of the human exposure to radio frequency electromagnetic fields. Available to answer questions.

**(-) Patricia Vaughney**

- There were no tapes. No one knows what happened to them
- We are approaching this in a different manner this time regarding the documents that were provided to the department.
- They did not give you the comprehensive documents and they did not follow the 1996 Telecommunication Act and the State Health Law

**(-) Janet Baroca**

- The report from Hammett & Edison has completely failed to give the RF Environment at the Pierce Street site

**(-) Scott Dykes**

- Opposed to the installation of more antennas at the Pierce St. site

**(-) Olga Mesa**

- Opposed to this installation

**(-) Madeline Camisa**

- We do not need any more cellular sites in the Marina

**(-) Marc Martini**

- Expressed his opposition to six additional antennas in the Marina

**(-) Denise Beatty**

- Is opposed to the approval for Metro PCS to install cell phone antennas in the neighborhood

**(-) Andre Bolaffi, represents Marc Martini**

- Metro PCS was able to provide adequate service to Marina neighborhood for years without the Pierce St. site

**(-) Walter Dicuawt**

- Opposed installation

**ACTION: Approved****AYES: Chinchilla, Baltimore, Fay, Joe, Salinas****NAYES: Lim****ABENT: Theoharis****MOTION NO. 16371**

5b. 2001.1027CR

(G. NELSON: (415) 558-6257)

3224-3252 PIERCE STREET - east side between Chestnut and Lombard Streets; Lots 009,010,011,012 and 013 in Assessor's Block 0490 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of six panel antennas on an existing light pole and related equipment cabinets on an interior wall of the Marina District Off-Street Parking Facility as part of a wireless telecommunication network, in general conformity with the plans filed with the Application, within an NC-2 (small scale neighborhood commercial) Zoning District and a 40-X Height and Bulk District. Because the parking facility is the property of the City and County of San Francisco, the application also requires a finding of conformity with the General Plan pursuant to Section 4.105 of the San Francisco Charter, and Sections 2A.52 and 2A.53 of the Administrative Code. Per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Preferred Location Preference 1 as it is a public facility.

Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of April 4, 2002)

**SPEAKER (s):** Same as those listed in item 5a.  
**ACTION:** Approved  
**AYES:** Chinchilla, Baltimore, Fay, Joe, Salinas  
**NAYES:** Lim  
**ABSENT:** Theoharis  
**MOTION NO.** 16372

6. 2001.0847C (M.SMITH: (415) 558-6322)  
755 OCEAN AVENUE - bounded by Howth Street, Geneva Avenue, Ocean Avenue, and Highway 280, Lot 023 in Assessor's Block 6948 - Request for authorization of a **CONDITIONAL USE** for a **PLANNED UNIT DEVELOPMENT** pursuant to Section 209.3 of the Planning Code to permit the reconfiguration and expansion of the existing private secondary school (Lick-Wilmerding High School) by constructing two below grade buildings in the center of the campus adding approximately 17,000 square feet and a total of three classrooms to the existing facility, requiring exceptions from otherwise applicable Planning Code requirements for rear yard, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions

**SPEAKER (s):**

(+) **Al Allan, Head Master Lick-Wilmerding High School**

- Gave a general description of the school and the proposed project

(+) **Dwan Long, Architect**

- Gave an overview of the project

(+) **Kinsel Chan, Echo Energy**

- Gave an explanation about the safety of the windmills

(+) **Howard Wexler, representing the project sponsor**

- Spoke about the windmills

(+) **James Harris**

- In favor of the project

(+) **Todd Rabkin-Golden**

- In support of the project

(+) **Rebecca Silverberg, Representing District 11 Council**

- This is important to our community
- Proud to have this school in the community

(+) **Ravi Lau**

- In support of the project

**ACTION:** Approved as amended:

- The Commission denied the windmill aspect of the project as recommended by the Department. The applicant is encouraged to continue to work with the Department on the windmill issue, provide more information that demonstrates a land use compatibility, and then ask to amend the CU approval to include the windmills if they desire. In which case, the project would come back before the Planning Commission for approval

**AYES:** Chinchilla, Baltimore, Fay, Joe, Lim, Salinas

**ABSENT:** Theoharis

**MOTION NO.** 16373

7. 2002.0105C (D. DiBARTOLO: (415) 558-6291)  
232 JOICE STREET - east side, bounded by Sacramento, Clay, Stockton and Powell Streets; Lot 030 in Assessor's Block 0224 - Request for Conditional Use authorization pursuant to Sections 209.7 and 812.56 of the Planning Code to convert a vacant paved lot approximately 3,000 square-foot in area to a non-commercial Surface Parking Lot for the use of adjacent buildings within an RM-4 (Residential, Mixed, High-Density) District and a

CR-NC (Chinatown Residential Neighborhood Commercial) District and 65-A and 65-85-N Height and Bulk Districts.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) William Chan, Design Engineer for the proposed project**

- Gave an overall description of the project

**(-) Enid Ng Lim, Chinatown Alleyways Improvement Assoc.**

- We do not need another garage in the neighborhood

**(neutral) Helen Kwan**

- Urged the Commission to consider the use of this lot

**(+/-) Doreen Der-McLeod, Executive Director, Cameron House**

- Had concern about the loss of open space and play area

**ACTION: Intent to disapprove. Final language 4/18/02**

**AYES: Chinchilla, Baltimore, Fay, Joe, Lim, Salinas**

**ABENT: Theoharis**

8a. 2001.1061CD

(B. FU: (415) 558-6613)

1077 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 050 in Assessor's Block 4224 - Request for Conditional Use Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to demolish an existing industrial building and allow the construction of three (3) dwelling units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation.

Preliminary Recommendation: Approval with conditions

**SPEAKER (s):**

**(+) David Silverman, Ruben and Alter, representing the Project Sponsor**

- Gave an overall description of the project

**(-) Max Schmeder**

- Concerned about the parking problems in the area

**(-) Tracy Berliner**

- Concerned about parking

**(-) Kristin Chun**

- Opposed project

**(-) Unknown Speaker**

- Opposed project

**1<sup>st</sup>. ACTION: Public Hearing Closed. Motion to Approve**

**AYES: Baltimore, Fay, Lim**

**NAYES: Chinchilla, Joe, Salinas**

**ABSENT: Theoharis**

**RESULT: The motion failed to carry**

**2<sup>nd</sup>. ACTION: Continued to 5/23/02**

**AYES: Chinchilla, Baltimore, Fay, Joe, Lim, Salinas**

**ABSENT: Theoharis**

8b. 2001.1061CD

(B. FU: (415) 558-6613)

1077 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 050 in Assessor's Block 4224 - Mandatory Discretionary Review per Planning Commission IPZ Policy, Resolution Number 16202), to demolish an existing industrial building and allow the construction of three (3) dwelling units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation.

Preliminary Recommendation: Approval with conditions



**SPEAKER(S):** Same as those listed in item 8a.

**1<sup>st</sup>. ACTION:** Motion to not take Discretionary Review and approve.

**AYES:** Baltimore, Fay, Lim

**NAYES:** Chinchilla, Joe, Salinas

**ABSENT:** Theoharis

**RESULT:** The motion failed to carry

**2<sup>nd</sup>. ACTION:** Continued to 5/23/02 to allow absent commissioner to participate

**AYES:** Chinchilla, Baltimore, Fay, Joe, Lim, Salinas

**ABSENT:** Theoharis

9a. 2001.1088CD

(B. FU: (415) 558-6613)

1087 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 049 in Assessor's Block 4224 - Request for Conditional Use Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to demolish an existing industrial building and allow the construction of one (1) additional dwelling unit for a total of three (3) units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation. The project was previously approved for two (2) dwelling units on April 19, 2001.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) David Silverman, representing project sponsor**

- This is a smaller and better building
- It will reduce the parking problem in the neighborhood

**(-) Max Schmeder**

- They should take off the unit on top
- Concerned about the lack of parking

**(-) [name unclear]**

- Do not feel that the changes to the proposed building meet all the needs of the residents

**(-) Elena Myers**

- We do not need to build any more units in this one block street

**(-) [name unclear]**

- Opposed project

**1<sup>st</sup>. ACTION:** Public hearing closed. Motion to approve

**AYES:** Fay and Lim

**NAYES:** Baltimore, Chinchilla, Joe, Salinas

**ABSENT:** Theoharis

**RESULT:** The motion failed

**2<sup>nd</sup>. ACTION:** Intent to disapprove. Final language 4/25/02

**AYES:** Chinchilla, Baltimore, Fay, Joe, Salinas

**NAYES:** Lim

**ABSENT:** Theoharis

9b. 2001.1088CD

(B. FU: (415) 558-6613)

1087 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 049 in Assessor's Block 4224 - Mandatory Discretionary Review per Planning Commission IPZ Policy, Resolution Number 16202, to demolish an existing industrial building and allow the construction of one (1) additional dwelling unit for a total of three (3) units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation. The project was previously approved for two (2) dwelling units on April 19, 2001.

Preliminary Recommendation: Approval with conditions



**1<sup>st</sup>. ACTION:** Motion to not take Discretionary review and approve  
**AYES:** Fay and Lim  
**NAYES:** Chinchilla, Baltimore Joe, Salinas  
**ABSENT:** Theoharis  
**RESULT:** The motion failed to carry

**2<sup>nd</sup>. ACTION:** Intent to take Discretionary Review and disapprove. Final language  
 4/25/02  
**AYES:** Chinchilla, Baltimore, Fay, Joe, Salinas  
**NAYES:** Lim  
**ABSENT:** Theoharis

10a. 2001.0864CV (V. RYAN: (415) 575-6812)  
900 BALBOA STREET - north side between 10<sup>th</sup> and 11<sup>th</sup> Avenues; Assessor's Block 1553, Lot 018 - Request for Conditional Use authorization to modify the conditions of approval on a Conditional Use Authorization approved under case number 1994.343C on September 14, 1995. The current proposal is to legalize a handicap lift located in the rear yard of the Chinese Grace Baptist Church, in an RH-1 (D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District. The project will also require a variance from the rear yard requirements of the Planning Code.  
 Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

(+) **Jack Byers, Architect, representing Chinese Grace Baptist Church**

- Gave an overall description of the project

(-) **Richard Jav**

- Opposed project

**ACTION:** Approved as amended:

Plans shall include a landscaping plan, which shall show an ivy-covered trellis along the north property line that will screen the handicap lift from the adjacent neighbor to the north.

**AYES:** Chinchilla, Baltimore, Fay, Joe, Lim, Salinas

**ABSENT:** Theoharis

**MOTION NO.** 16374

10b. 2001.0864CV (V. RYAN: (415) 575-6812)  
900 BALBOA STREET - north side between 10<sup>th</sup> and 11<sup>th</sup> Avenues; Assessor's Block 1553, Lot 018 - Request for a Variance from the rear yard requirements of Planning Code Section 134 to allow the legalization of a handicap lift within the required rear yard of the Chinese Grace Baptist Church, in an RH-1 (D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District. The required minimum rear yard for the subject property is 15 feet. The handicap lift is completely within the required rear yard.

**ZONING ADMINISTRATOR CLOSED THE PUBLIC HEARING AND GRANTED THE VARIANCE.**

11. 1999.818C (M.WOODS: (415) 558-6315)  
2455 BUSH STREET (a.k.a. 1770 SCOTT STREET) - southeast corner of Bush and Scott Streets, between Scott and Pierce Streets, Lot 3 in Assessor's Block 680 - Request for Conditional Use Authorization under Planning Code Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.81 for the alteration of an existing building (the California Tennis Club), including an addition which will increase the overall gross square footage of the building by approximately 5,800 square feet, for a total of approximately 21,000 gross

square feet in an NC-2 District (Small-Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of March 7, 2002)

**SPEAKER(s):**

**(+) Art Wong, President, California Tennis Club**

- Gave the historical background of the club

**(+) Bob Gini, Architect**

- Gave an overall description of the project

**(+) Alex Kotlyar**

- Supports project

**(+) Igor Kotlyar**

- Supports project

**(+) Vicki Watts**

- Supports project

**(+) Connie Elliot**

- Urged the Commission to vote in favor

**(+) Mike Skinner**

- California Tennis Club has been an invaluable community supporter for 30 years

**(+) Gretchen Berggrhyn**

- This club provides enormous support and a safe environment for a number of children who do not belong to the club

**(+) Kenny Altman, Parents Place**

- Supports project

**(+) John Dalton**

- Support project

**(+) Thomas Rohlen**

- Expressed full support for this project

**(+) Dr. Groror Matula**

- Urged the Commission to approve the project

**(+) Nelson Wild**

- Approve the plans as submitted by the California Tennis Club

**(+) Thayer Hopkins**

- Supports project

**(+) Victor Gonzalez**

- This will be a good addition to the City and the neighborhood

**(-) Allan Broosky**

- Addition to this building is too big
- Concerned about parking

**(-) Dawne Bernhardt**

- Opposed the 3<sup>rd</sup>. story addition

**(-) Jan Bolaffi**

- Urged the Commission to deny the approval of this project

**(-) Kathleen Mortimer**

- Concerned about the impact this proposed project would have on their quality of life and real estate values

**(-) Ansel Wettersten**

- Concerned about the shadow impact

**(-) Andre Bolaffi**

- Urged the Commission to reject this proposed expansion

**(-) Giovanna Chesler**

- Opposed project

**(-) Josh Chesler**

- Concerned about parking

**(-) Tim Sultan**

- This proposed project would be a huge structure for a residential neighborhood

**(-) Howard Ash**

- California Tennis Club has no intention of working with the neighborhood on the 2 story alternative

**(-) Patricia Vaughey**

- Opposed project

**(-) [name unclear]**

- Strongly opposed the 3<sup>rd</sup> story addition

**(-) Palmer Selsor**

- Opposed project

**ACTION: Approved****AYES: Chinchilla, Fay, Lim, Salinas****NAYES: Baltimore, Joe****ABSENT: Theoharis****MOTION NO. 16375**

**AT APPROXIMATELY 8:00 PM THE PLANNING COMMISSION CONVENED INTO A DISCRETIONARY REVIEW (DR) HEARING TO HEAR AND ACT ON DISCRETIONARY REVIEW MATTERS.**

12. 2001.0982D

(V. RYAN: (415) 575-6812)

**2887 WASHINGTON STREET** - south side of Washington Street, between Scott and Divisadero Streets, Lot 027 in Assessor's Block 1002 - Request for Discretionary Review of Building Permit Application No. 2001/0705/2976S, proposing to legalize a 2 foot by 4 foot horizontal addition constructed into an existing light well at the third floor of a three-story over basement nine-family apartment building in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

(Continued from Regular Meeting of February 7, 2002)

**SPEAKER(S):****(+) Meg Troughton, Discretionary Review Requestor**

- Work has been done by unlicensed workers.
- Work has been exclusively done during the night.

**(-) Theodore Pasnon, Project Sponsor**

- Gave a description of the project

**(-) Mr. Pasnon, Building Owner**

- Asked the Commission to approve his permit application

**ACTION: Took Discretionary Review and approved as modified:**

- Replacement of the window that is parallel to the property line with a one-hour firewall. Furthermore, the roof above the extension should also be replaced with a one-hour firewall.

**AYES: Chinchilla, Baltimore, Fay, Joe, Lim, Salinas****ABSENT: Theoharis**

13. 2002.0190D

(K. McGEE: (415) 558-6367)

**73/75 MIRABEL STREET** - north side between Shotwell and Coso Streets, Lot 97 in Assessor's Block 5517 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2002.01.28.7857 to convert an existing 2-unit building into 1 dwelling unit. The proposal aims to provide structural upgrades to the rear exterior and to the interior of the building, including the removal of one kitchen and the construction of an internal staircase. The property is located within an RH-2 (Residential, House, Two-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the project as proposed.

**SPEAKER(S):**

**(+) Dean Frier, Project Sponsor**

- Asked Commission to approve his project

**ACTION: Take Discretionary Review and disapprove the project**

**AYES: Chinchilla, Fay, Joe, Lim, Salinas**

**NAYES: Baltimore**

**ABSENT: Theoharis**

14. 2001.0114DD (G.NELSON: (415) 558-6257)  
293 DOWNEY STREET - west side of Downey Street, between Ashbury and Frederick Streets, Lot 046 in Assessor's Block 1269 - Request for Discretionary Review of Building Permit Application No. 2001/1121/3668, proposing to add a three-story 11' X 25' X 30' high addition to the rear of the basement, first, and second stories of an existing single-family dwelling, as well as cosmetic alterations, within an RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

**SPEAKER(S):**

**(+) Helga Maza, Discretionary Review Requestor**

- Gave the Commission a general outline of the project

**(+) Chris Sack**

- Supports staff recommendations

**(+) Bob Allen, Architect**

- Gave an overall description of the project

**(-) Floral Likor**

- Extension would block the early morning sunlight
- Concerned about the noise during construction

**(-) Kirk Scott, Project Sponsor**

- This project is good for the City
- Preserves open space, views, and minimizes the shading

**(-) Kayla (unclear last name), Architect**

- Urged the Commission to deny the Discretionary Review request

**(-) [name unclear]**

- Concerned about her privacy

**ACTION: Took Discretionary Review and approved as modified:**

1) Construct the addition so as not to obstruct the existing lot-line window at 1051 Ashbury Street (the Zak residence), and;

2) Hold the proposed roof deck handrail back three feet in a configuration to substantially prevent an occupant of said deck from looking into the existing rear windows of 291 Downey Street (the Maaser residence).

**AYES: Chinchilla, Baltimore, Fay, Joe, Lim, Salinas**

**ABSENT: Theoharis**

**G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**SPEAKER(S):**

**Marilyn Amini**

Re: Illegal code compliance rear addition increasing a building envelope

Adjournment: **9:10 p.m.**

**THE DRAFT MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING  
OF THE PLANNING COMMISSION ON THURSDAY, MAY 16, 2002**

**Speaker(s):**     **None**

**Action:**            **APPROVED WITH CORRECTION OF TYPOGRAPHICAL ERRORS**

**AYES:**             **Baltimore, Fay, Joe, Lim and Salinas**

**ABSENT:**          **Chinchilla, Theoharis**





# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, April 18, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

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**PRESENT:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Fay

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:45 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green - Director; Larry Badiner - Zoning Administrator; Jean Paul Samaha; Dan DiBartolo; Kate McGee; Jeff Tully; Adam Light; Ben Fu; Rick Crawford; Pete Vollman; Geoffrey Nelson; Dan Siros; Michael Li; Vahram Massehian; Matt Snyder; Mary Woods; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.0995CV (D. JONES: 415-558-6477)  
3130-3154 NORIEGA STREET - north side of Noriega Street between 39th and 38th Avenues, Lot 007 in Assessor's Block 2011- Request for Conditional Use Authorization under Planning Code Section 121.1 and 710.11 to develop a (9) nine-unit, mixed-use building on a lot exceeding 5,000 square feet in area, within an NC-1 (Neighborhood Commercial Cluster District) and a 40-X Height and Bulk District.  
Preliminary Recommendation: APPROVAL WITH CONDITIONS  
(Proposed for Continuance to April 25, 2002)

**SPEAKER(S):** None

**ACTION:** Continued as proposed

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

2. Consideration of Adoption - draft minutes of March 14 and March 21, 2002.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

3. Commission Matters

**None**

**C. DIRECTOR'S REPORT**

4. Director's Announcements

- He will be appearing before the Budget Committee on April 23, 2002, which will be the first in a series of presentations and discussions regarding the Department's work program, objectives and priorities for the next fiscal year. There will be a series of hearings in June as well. These discussions will relate to how the Department is shaping the work program and how the Department is being impacted by this changes that will occur during this fiscal year and next.

5. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

**BOS**

*Re: Legislation from Supervisor Newson*

- This legislations proposes to have a study be conducted by the Planning Department regarding the loss of theatres.

*Re: Legislation from Supervisor Peskin*

- This legislation proposes that fees, specifically park fund, jobs housing linkage, child care and inclusionary fees, not be collected by the Planning Department but instead be collected by the Treasurer. The second part of this legislation would be to amend the definition of office use in order to exclude certain square footage in certain activities that are now included in the definition.

Both these pieces of legislation will be referred to the Planning Department for both environmental review and for consideration by the Planning Commission.

**BOA**

*Re: 2 Upland*

- The Planning Commission took Discretionary Review on September 6, 2001 and disapproved the project.

- The Commission had concerns that it was not a code compliant building since there was some work that was done without a permit. There had been permits for work done on an alternate address.

- The Zoning Administrator reviewed the case file. He realized that the owner had re-designed the building. The Board of Appeals continued the item for three weeks since the project seemed like a different project. The Zoning Administrator will examine this project to see if it needs another 311 notice.

*Re: 626 29<sup>th</sup> Street*

- This case was heard by the Commission in November. It also had a variance for a front setback.

- There were three buildings in a row that were in the rear yard. The applicant wanted to build a building in the front and retain the existing single-family development in the rear, remove the kitchen and allow the owner's mother to live there.
- The Commission and the Zoning Administrator felt that there was too much opportunity to be two units in a single-family district.
- The Board heard the discussion and was sensitive to the concerns the Commission expressed and the concerns the Zoning Administrator had about the rear yard building. However, they did want to see that the owner remove the kitchen and make sure that there was no direct access to the rear yard building. They also required a notice-of-special-restriction that would require the building be removed upon the sale of the building or upon death.
- The Board of Appeals continued the matter for three weeks.

6. Review of the Commissioner's policy on the demolition of residential structures (unsound housing)

**SPEAKER(S):**

**Sue Hestor**

- There is no staff name on this item.
- She has been trying to get documentation on this item.
- If there is no staff name it is difficult to get information because there is no one to call.
- She is not sure what exactly is being discussed since information is being referenced to items and no one has any documentation.

**Joe O'Donaghue**

- He would have liked to see more data regarding this item to know if this policy is justified.
- The economic impact needs to be looked at as well.

**Alice Barkley**

- This policy addresses only those building which already have a demolition request.
- More clarification is needed to make a better analysis.
- She believes that more clear criteria should be provided.
- Staff should go back and write more clear criteria.

**ACTION:** Meeting Held. No Action Required. Informational Presentation Only

7. 2001.0974C  
900 GILLMAN AVENUE - Lot 017 of Assessor's Block 4436 – Report on compliance with conditions of approval.

**SPEAKER(S):**

**(+) Chaplain Earl Rogers – San Francisco Rescue Mission**

- He is here in support of this project.
- This is going to be a keystone since it sets a precedent not only for San Francisco but also for other communities on how to deal with increasing the housing stock.

**(+) Dr. Aurelius Walker – Project Owner**

- He would like to thank the Planning Department for this project.
- This Commission has given him a Christmas present that will not be given back.

**ACTION:** No action taken.

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

**SPEAKER(S):** None

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED**

8. 2002.0105C (D. DiBARTOLO: 415-558-6291)  
232 JOICE STREET - east side, bounded by Sacramento, Clay, Stockton and Powell Streets; Lot 030 in Assessor's Block 0224 - Request for Conditional Use authorization pursuant to Sections 209.7 and 812.56 of the Planning Code to convert a vacant paved lot approximately 3,000 square-foot in area to a non-commercial Surface Parking Lot for the use of adjacent buildings within an RM-4 (Residential, Mixed, High-Density) District and a CR-NC (Chinatown Residential Neighborhood Commercial) District and 65-A and 65-85-N Height and Bulk Districts.

Preliminary Recommendation: Approval with conditions

**Note: On April 11, 2002, following public testimony, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +6-0; Commissioner Theoharis was absent. The matter was continued to April 18, 2002 for final action.**

SPEAKER(S): None  
 ACTION: Project Disapproved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16376

**F. REGULAR CALENDAR**

9. 2002.0012C (K. McGEE: 415-558-6367)  
434 HARRISON STREET - west side, between 1st and Fremont Streets; Lot 12 in Assessor's Block 3748 - Request for Conditional Use authorization per Planning Code Section 209.6(b) to replace one (1) panel antenna with four (4) panel antennas on the subject building's east side and to install two (2) new panel antennas on the building's west side in an RC-4 Zoning District, a 250-R Height and Bulk District, and the Rincon Hill Special Use District. The site is a Preference 2 Location, a co-location site on which other WTS facilities currently exist.

Preliminary Recommendation: Approval with conditions

**(+) Kelley Pepper – Representing Cingular Wireless**

- This location is a Preference 2.
- This site is a preferred site since it sits at the top of a hill and will provide a large area of coverage.

- Community notices were sent in three languages. No responses were received.

- She hopes that the Commission will approve this project.

**(+/-) Bruce Bonacker – Representing San Francisco Architectural Heritage**

- He is seeing more and more antennas being installed on building and we should start being concerned about how many antennas are being installed.

- He did not come to speak on this item but would like to make the Commission aware of the impact these antennas are creating.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16377

10. 2002.0092U (J. TULLY: 415-558-6372)  
460 BUSH STREET – North side between Grant and Kearny, Lot 41 in Assessor's Block 270 - Consideration of adoption of a resolution recommending approval of a Mills Act historical property contract for Old S.F.F.D. Engine Co. No. 2, San Francisco Landmark No. 143. The Mills Act authorizes local governments to enter into contracts with owners



of private historical property who, through the historical property contract, assure the rehabilitation, restoration, preservation and maintenance of a qualified historical property. In return, the property owner enjoys a reduction in property taxes for a given period. The subject property is zoned C-3-R (Downtown Retail), and is in an 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval

**(+) Alice Carey – Historic Preservation Architect**

- Passing this act encourages historical ambiance for tourism.
- This also creates an incentive to create landmark status.
- It also creates maintenance to historical buildings.
- Reinforces the importance of preservation.
- Encourages vitality in community as well as improves the quality of life to San Franciscans.

**(+) Bruce Bonacker**

- He read a letter from Charles Evan Chase who is in support of this project.
- Mr. Bonacker believes that there are many incentives to approving this contract. As more contracts get approved there will be more of a momentum on this.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16378

11. 2001.1098H (A. LIGHT: 415-558-6254)  
216 STOCKTON STREET - east side between Geary and Posts Streets, in Assessor's Block 309, Lot 13 - Request for a Permit to Alter under Article 11 of the Planning Code to permit an alteration to the front facade of a three-story limestone and black granite-clad Category IV retail building ("Christian Dior") in the Kearny-Market-Mason-Sutter Conservation District, the C-3-R (Downtown, Retail) Zoning District, and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.  
 (Continued from Regular Meeting of April 11, 2002)

**(+) Joel Yodowitz – Reuben & Alter – Representing Christian Dior, Project Sponsor**

- They finally have a solution that has made everyone happy.
- He hopes that the Commission will approve this project.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16379

- 12a. 2002.0069CV (B. FU: 415-558-6613)  
2559, 2563-2567 SAN BRUNO AVENUE - west side between Felton and Burrows Streets, Lots 027, 028, and 029 in Assessor's Block 5438: Request for Conditional Use Authorization under Planning Code Sections 121.1 and 711.21 and pursuant to Planning Code Section 303, to allow a non-residential use as defined in Code Sections 711.81 and 790.50 occupying more than 4,000 square feet in a NC-2 (Small-Scale Neighborhood Commercial) District with a 40-X Height and Bulk designation. The proposal would allow a 7,200 square foot community service use, doing business as "Portola Family Connections".

Preliminary Recommendation: Approval with conditions

**(+) Maryann Fleming – Portola Family Connections**

- They have experienced financial growth and were able to buy the building in 2000.

- This approval will benefit them from various levels.
- She hopes that the Commission will approve this project.
- She submitted 150 signatures from neighbors who support this project.
- (+) Susannah Meek – Portola Family Connections - Project Architect**
- She described the project.
- She hopes that the Commission will approve this project.
- (+) Teddy Gray – Board of Directors – Family Connections**
- She hopes that the Commission will approve this project.
- (+) Mollie Ward Brown – Portola Family Connections**
- They have a tremendous amount of capital to fund this project.
- There is no social services agency serving children younger than 18 years old in the area.
- (+) Chet Roaman – CCSF – ESL Department**
- He is a teacher at Family Connections.
- If this is approved, there will be more space to have more students and increase their programs as well as have different levels of classes.
- The community is wonderful and he hopes that the Commission will approve this project.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16380

- 12b. 2002.0069CV (B. FU: 415-558-6613)  
2559, 2563-2567 SAN BRUNO AVENUE - west side between Felton and Burrows Streets, Lots 027, 028, and 029 in Assessor's Block 5438: Request for an off-street parking Variance, pursuant to Section 151 of the Planning Code, will be considered by the Zoning Administrator in a NC-2 (Small-Scale Neighborhood Commercial) District with a 40-X Height and Bulk Designation. Ten (10) total off-street parking spaces are required as a result of the project. The proposal is to provide no off-street parking spaces.

SPEAKER(S): Same as those listed in item 12a.  
 ACTION: Zoning Administrator closed the public hearing and granted the variance.

13. 2002.0090C (R. CRAWFORD: 415-558-6358)  
1525 OCEAN AVENUE – between Capitol and Miramar, Assessor's Block 6936 Lot 014. Request under Planning Code Section 161(j) for Conditional Use approval for a reduction of 3 off street parking spaces required for dwellings for a project with ground floor commercial and 3 dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions.

- (+) Jack Chiu – Representing Project Sponsor**
- He is available for questions.
  - This project lies within a transit corridor.
  - He hopes that the Commission will approve the project.

ACTION: Intent to Disapprove. Final Action: May 2, 2002  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay

14. 2002.0194C (P. VOLLMAN: 415- 558-6405)  
464 BROADWAY - north side between Montgomery and Kearny Streets, Lot 014 in Assessor's Block 0144; Request under Planning Code Section 714.27 for Conditional Use approval to extend the hours of operation of an existing full-service restaurant (Cable

Car Pizza) from 2 A.M. until 4 A.M., within the Broadway Neighborhood Commercial District and a 65-A-1 Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**(+) Seg Amit – Project Sponsor**

- They serve good food, no beer or wine.
- This restaurant is good for the community.
- He hopes that the Commission will extend the hours of operation.

**(+) Marcia Garland – Director of the North Beach Chamber of Commerce**

- The Chamber supports the extension of hours of operation.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

MOTION: 16381

15. 2002.0057C (G. NELSON: 415-558-6257)  
5200 GEARY BOULEVARD - (Geary Mall Parking Garage), north side between 16th and 17th Avenues; Lot 045 in Assessor's Block 1448: Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of six (6) panel antennas to an existing light pole on the upper deck of an approximately forty-foot tall, three level parking garage with ground floor commercial spaces. The project site is within a Moderate Scale Neighborhood Commercial (NC-3) Zoning District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure within an NC-3 Zoning District. The proposed site would be operated as part of Metro PCS' wireless telecommunications network.  
 Preliminary Recommendation: Approval with conditions

**(+) Debra Stein – Representing Project Sponsor – Metro PCS**

- She would like to thank staff for an excellent case report.
- Metro PCS looked at 14 different sites and only 4 of them were not tall enough.
- Three of the 4 sites were not acceptable.
- This site did not have any opposition.
- Metro PCS met with the Richmond Neighborhood Association who took no position on this site.
- Notice was sent to more than 300 residents and there were only 4 residents who attended [a community meeting].
- She hopes that the Commission will approve this project.

**(-) David Ferrantes**

- He lives within the 300-foot radius of this installation.
- The last thing needed are more antennas.
- There are already 2400 antennas.
- He has never been contacted by anybody. He found out about this hearing from someone who was going around asking for signatures in opposition.
- He hopes that the Commission will not approve this project.

**(-) Terry Lam**

- She lives right behind the building where the antenna will be installed.
- They were never notified.
- She opposes the installation of this antenna.
- This antenna will drive people away.
- There are very strong winds in her neighborhood so it could be dangerous.
- She does not know of anyone who has bad reception on their cell phones.
- She urges the Commission not to approve this project.

**(-) Bernice Lam**

- She is the sister of the previous speaker and she only found out about this from her sister.
- Recent studies show that antennas cause cancer.
- She is concerned about the safety and health of the neighbors. She is also concerned that people will want to move out and the property values will drop.

**(-) Stella Cheng**

- She is concerned about her health and her neighbors' health.
- The quality of life will be jeopardized.
- She received a flyer with information on this hearing.
- She hopes that the Commission will not approve this project.
- There are plenty of antennas already.

**(-) Robert Blum**

- He lives next door to the Geary Mall.
- He is opposed to this antenna since it is not compatible with the neighborhood. Although the building is commercial, it is still dangerous.
- Adequate cellular phone coverage already exists in the neighborhood.
- This is primarily a single-family neighborhood.
- This antenna will keep new neighbors away and lower the property values.
- He hopes that the Commission does not approve this project.

**(-) Kang Chan**

- He is opposed to this installation.
- There are a lot of schools in the neighborhood.
- Metro PCS should look for another location.
- He hopes that the Commission will reject this application.

**(-) Benny Lew**

- He lives in the neighborhood.
- He opposes the installation of this antenna.
- Metro PCS has not been honest with the neighbors.

**(-) Grace Jeung**

- She is here representing a group of people who live in the neighborhood and are against this installation.
- There is a letter from Ms. Debra Stein, which was directed to Commissioner Chinchilla. It lists a lot of false statements.
- She has sent several letters and faxes to Ms. Stein and she has never received a response.

**(-) Megan Sullivan**

- She is against the installation of this antenna.
- She is submitting over 400 signatures of residents and business owners who are against the installation for a variety of reasons.
- The Richmond district is almost entirely zoned residential.
- She hopes that the Commission will not approve this installation.

**(-) Nicholas Cosmo Blum**

- He lives next door to the proposed site.
- He is concerned about the health to him and to his family.
- He hopes that the Commission will not approve this installation.

ACTION: Approved  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay  
MOTION: 16382

- 16a. 2001.0244CV (G. NELSON: 415-558-6257)  
321 JUDAH STREET - south side between 8<sup>th</sup> and 9<sup>th</sup> Avenues; Lot 051 in Assessor's Block 1845 - Request for Conditional Use authorization under Sections 161(j) and 730.39 of the Planning Code to demolish an existing two-story building containing a commercial



space on the ground floor and a dwelling unit on the second floor and construct a new four-story building to contain a commercial space on the ground floor with two dwelling units above. The project seeks a reduction in the off-street parking requirement from two (2) spaces to none (0). The proposed project is within the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. This project also seeks a rear yard variance to allow for a fire escape stair.

Preliminary Recommendation: Approval with conditions

**(+)Jeremy Paul of Quickdraw Consulting – Representing Project Sponsor**

- This [current] building is not practical and does not provide many utilities to the neighborhood.

- This building is located in a very busy transit intersection.

- Displayed photos of the frontage and the streetscape.

- He hopes that the Commission will approve this project and that the Zoning Administrator approves the variance.

ACTION: Intent to Disapprove. Final Language: May 2, 2002

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

NAYES: Lim

ABSENT: Fay

- 16b. 2001.0244CV (G. NELSON: 415-558-6257)  
321 JUDAH STREET - south side between 8<sup>th</sup> and 9<sup>th</sup> Avenues; Lot 051 in Assessor's Block 1845 - Request for a variance from Planning Code Section 134 to allow a fire escape stair, extending to grade, to project three feet into the 25-foot deep required rear yard of a new four-story building proposed to contain a commercial space on the ground floor with two dwelling units above. The proposed project is within the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.

SPEAKER(S): See Previous Item.

ACTION: Zoning Administrator closed the public hearing and has taken this matter under advisement.

**G. DISCRETIONARY REVIEW HEARING**

At Approximately **5:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing.

17. 2002.0141D (G. NELSON: 415-558-6257)  
2130-2140 JEFFERSON STREET - south side between Lyon and Baker Streets; Lots 005 and 005A in Assessor's Block 0909. Staff-initiated request for Discretionary Review of Building Permit Application 2001/1121/3631 to merge two existing single-family homes into one single-family home. The proposal involves substantial interior and exterior alterations, and would also result in the merger of the two lots into a single lot. The property is located within an RH-1 (Residential House, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and disapprove the Building Permit.

SPEAKER(S): None

ACTION: Without Hearing, continued to May 16, 2002

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay



18. 2001.1167D (D. SIROIS: 415-558-6313)  
919 ELIZABETH STREET -south side of Elizabeth Street, between Grandview Avenue and Hoffman Avenue, Lot 038, Assessor's Block 2828. Request for Discretionary Review of Demolition Permit Application No. 2001/1015/0826 & Building Permit Application No. 2001/1015/0828 to demolish a single-family dwelling and to construct a two-unit building in an RH-2 (Residential, House, Two- Family) District and a 40-X height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve project with modifications.

**SPEAKER(S):**

**(-) John Sheets – Dr Requestor**

- There are 64 signers that represent 44 households who are opposed to this project.
- The neighborhood has three concerns: they are not in support of demolishing the cottage since they want to preserve neighborhood jewels. This will change the character of the neighborhood.
- The new construction does not meet the Planning Code or the Neighborhood Design Guidelines.
- The proposed project will contain a variety of designs, which do not match any of the designs of the homes in the neighborhood.
- There have been a number of meetings held with the project sponsor in order to solve the issues the neighborhood has.
- He hopes that the Commission will take DR and modify this project.

**(-) Eric Maltman - Architect**

- Many aspects of the lot are drawn incorrectly.
- He is against this project since it's too large for the neighborhood. The project sponsor could reduce the size of the project.
- He would like to save the cottage but if it's not possible he hopes that the Commission will approve the neighborhood design concept.

**(-) Sandy Kawano**

- She lives on Elizabeth Street.
- This proposal is suggesting replacing one of the smallest homes on the block and replacing it with the largest.
- She is against this project since there will be a tremendous shadow impact to her home and yard.

**(-) Steve Schrader**

- He lives on Hoffman Avenue, which is behind the proposed development.
- He is against this project since he would like to preserve the cottage.
- He has looked at many of the documents regarding demolition and he has found mistakes.

**(-) Lynn Watson**

- She lives on Elizabeth Street.
- She is only the 4<sup>th</sup> family to live in her home and her home was built about 100 years ago.
- She is against this project since the new building is just too large. It would be fine in any other neighborhood in San Francisco.
- She hopes that the Commission will disapprove the project and accept the neighborhood design concept.

**(-) Steve Roseman**

- He lives on 24<sup>th</sup> Street, which is not far from the proposed development.
- He used to be President of the Friends of Noe Valley in the 90s and has never seen such a large development in the area.
- The only people who are in support of this project are people who have put money to develop this project.
- This project will not enhance the neighborhood.
- The demolition is not legal. If the demolition were legal, there would have been neighborhood meetings held.

- The proposed design should be revised.

**(-) Peter Remedios**

- He has lived on Elizabeth Street for over 40 years.
- The proposed project is disruptive to the neighbors.
- He hopes that the Commission will disapprove this project.

**(-) Don Huie**

- He has lived on 24<sup>th</sup> Street for many years.
- He is concerned about privacy to his home since the development would look down onto his home.
- This building will be prominent to all the surrounding neighbors.
- He is in support of the neighborhood concept.

**(-) David Burness**

- He has lived on Elizabeth for over 30 years.
- He is against this project since the proposed development will not be in conformity with the other homes in the neighborhood.
- This construction is too intrusive and too massive.
- He hopes that the Commission will approve a concept to save the cottage.

**(-) Don Watson**

- He has lived on Elizabeth for 32 years.
- He is against this project since most of the houses are not that large.
- All the houses are small, bungalow style on short lots.
- The proposed construction does not take into account the height of the adjacent homes.
- He hopes that the Commission will disapprove this project and save the cottage, or build a single-family home. And if that is not possible, accept the neighborhood concept.

**(-) John Bird**

- He lives 4 homes down the hill from the proposed construction.
- Most of the homes were built in the 30s.
- The proposed construction will be very tall and very prominent.
- The new building will dwarf the other buildings on the street.
- He hopes that the Commission will adopt the neighborhood design concept.

**(-) Chris Remedios**

- She has lived on Elizabeth Street for over 4 years.
- She is asking the project sponsor to revise the drawings.
- She is against this project.

**(-) Larissa Robinson**

- She lives on Elizabeth Street.
- This project will construct condominiums, which will not be affordable.
- She would like to have the cottage preserved and keep it as a single-family home. If this is not possible, she hopes that the Commission will approve the neighborhood design concept.

**(-) Stephanie Scarpulla**

- She read a letter from a neighbor who is against this project.
- She is also against this project because of its mass.

**(-) Vicki Rosen – President of Upper Noe Neighbors**

- The association is opposed to this project since it is one of the worst she has ever seen.
- The project is too large and out of scale.
- If she lived next door to the development she would have to move away.
- If the cottage has to be demolished, she hopes that the Commission will respect the neighbor's wishes.

**(-) Dave Monks – President of Friends of Noe Valley**

- There have been two board meetings on this project and they unanimously voted to have the project sponsor revise the drawings.
- Minor changes were made but nothing significant. They still voted unanimously against this project.
- This project is too large, out of scale and out of context.
- He hopes that the Commission will support the neighbors.

**(-) Jeanine Przyblyski – Collingwood Hill Neighborhood Association**

- The association is not in support of this project.
- Would like to have the Commission accept the neighborhood design concept and take a very hard look at this project.

**(-) Jacob Glickman**

- He would like the Commission to be aware that the documents submitted by the project sponsor has many errors.
- These errors could be written off as an inexperienced developer.
- The neighborhood is very concerned that the project sponsor has submitted misleading exhibits and would like the Commission to disregard these exhibits.

**(-) B.A. Laris**

- She thinks that her neighbors have spoken quite eloquently.
- She is very concerned about this structure since it will impact the light, space and privacy to her home.
- She hopes that the Commission will take into consideration all the comments the neighbors have stated.

**(-) Alexandra Edwards**

- She supports the Discretionary Review.
- This construction is out of scale with the neighborhood.
- It is not respectful to the neighbors since they will be dwarfed with construction.
- The main objective to this is money and not family.
- Please consider the design proposed by the neighbors.

**(-) Ron Pacheco**

- He has lived in the neighborhood for 29 years.
- The project sponsor is an architect but also a developer.
- The drawings showing his property have errors.
- If the cottage cannot be saved, he hopes that the Commission will approve the neighbors design concept.

**(-) Carol Robinson**

- She has lived on Elizabeth for 32 years.
- The proposed development does not respect the values of the neighbors.
- There will be an enormous loss to quality design of the cottage.
- She hopes that the project sponsor will revise the project or the Commission will approve the neighbors design concept.

**(-) Joan Benjamin**

- She has lived in the neighborhood for many years.
- This project is totally out of scale with the surrounding building.
- She hopes that the cottage can be saved but if it can't, she would like to see approved the neighborhood design concept.

**(-) Kurt Lunz**

- He is here in support of the neighbors.
- He read a letter from the East and West Castro Street Improvement Club who is against this project.

**(+) David Cincotta – Representing the Project Sponsor**

- This will be a two unit building and each unit will have three bedrooms.
- The demolition report should actually show larger amounts of costs to repairs to the cottage.
- The property is in terrible condition so it makes no sense to remodel the existing property.
- The design will allow more open space.

**(+) Joe O'Donaghue – Residential Builders**

- This project sponsor is not a member and not a developer.
- Family housing needs to be provided somewhere.
- This is a reasonable home and not a monster home.
- He hopes that the project sponsor is allowed to stay in the neighborhood and have his project approved.

**(+) Harold Ginsberg**

- He is in favor of this proposed development.
- He lives next door of the proposed development.
- He and his wife have lived in this neighborhood for 13 years.
- The homes are all of mixed character.
- The cottage was in extremely poor condition.
- He hopes that the Commission will approve the project.

**(+) Bob Becker**

- He has lived in Noe Valley for 10 years.
- The project sponsor showed the plans to him and he didn't find anything wrong with it.

**(+) Janice Stone**

- She has lived on Elizabeth Street for many years.
- There is a need in San Francisco to build family housing.
- She doesn't agree with the design but she believes it's not her right to give her opinion to someone on how to build the building.
- She believes that people have the right to build anything that falls within guidelines.

**(+) Toby Morris - Architect**

- He and his wife have made many revisions to the design of the project after discussions with the neighbors.
- Displayed photographs of the streetscape of Elizabeth Street.

**ACTION:** Take Discretionary Review and approve the project per staff recommendation.

**AYES:** Lim, Baltimore, Chinchilla

**NAYES:** Theoharis, Salinas, Joe

**RESULT:** The motion failed to carry.

**ACTION:** Take Discretionary Review and approve with modifications: 1) eliminate two story rear yard protrusion 2) eliminate the 4<sup>th</sup> story loft.

**AYES:** Theoharis, Chinchilla, Salinas, Joe

**NAYES:** Baltimore, Lim

**ABSENT:** Fay

19. 2002.0183D (M. LI: 415-558-6396)  
**201 CHESTNUT STREET** - southwest corner at Kearny Street; Lot 001 in Assessor's Block 0061 - Staff-initiated request for Discretionary Review of Building Permit Applications 2002 0128 7866 (demolition) and 2002 0128 7864 (new construction) proposing the demolition of a four-story, six-unit building and the construction of a four-story, two-unit building. The subject property is located in an RM-2 (Residential, Mixed, Moderate-Density) District, the Northern Waterfront Special Use District No. 3, and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**SPEAKER(S):**

**(+) Alice Barkley**

- Even if this building were retrofitted, units would still be lost.
- This building meets all of the criteria.
- The new design will be compatible with the other buildings in the neighborhood.
- She hopes that the Commission will approve this project.

**(+) Lou Sarto**

- The existing building is an eyesore and is not occupied so it should be demolished.
- The proposed building will greatly enhance the neighborhood.



**(+) Kaye Woods**

- She is in full support of this project since it will be a wonderful addition to the neighborhood.
- The current building is an eyesore.

**(+) Michael McGuire**

- The current building is in very poor shape and should even be considered a hazard.
- The new building will be a visual improvement to the area.

**(+) Michael Penner**

- He has lived in the neighborhood for over 10 years.
- The proposed construction will be a significant improvement to the neighborhood.
- He supports this project strongly.

**(+) Frederick Allardyce**

- He lives on Chestnut Street and has lived on Telegraph hill for over 30 years.
- The current building is not up to code.
- The project sponsor has invested a lot of time and money to design a project that is good for the neighborhood.
- Both project sponsors are architects and they have designed a great building.

**(+) Joe O'Donaghue – Residential Builders**

- The architectural drawings are superb.
- There is a lot of neighborhood support.
- This project should be approved.

**ACTION:** Did not take Discretionary Review and approved the project as proposed.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

20. 2002.0094D

(V. MASSEHIAN: 415-558-6363)

**224-230 PRESIDIO AVENUE** - east side between Washington and Clay Streets, Lot 015 in Assessor's Block 0998 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/0919/8664, proposing to merge four dwelling units into two dwelling units in an existing four-unit building. The subject property is located in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

**SPEAKER(S):**

**(+) John Sanger – Sanger and Olson – Representing Project Sponsor**

- The building started as a single-family home and then became a two family home.
- It was at one time illegally converted to a 4 unit building but later was returned to three units.
- It has been that way for a number of years.
- The project sponsor would like to convert this building to a two unit building and will keep the other unit.
- He hopes that the Commission will approve the merger since all the relevant criteria are met.

**(+) Hledeh Honari Saghi – Project Sponsor**

- There were some neighbors who were here in support of the merger but had to leave.
- They have had many tenants and have been good landlords.
- Their last tenant purchased a home and that is why the tenant left.

**(+) Sia Honari**

- He has lived on Green Street since 1980. He has lived in San Francisco since 1979.
- He hopes that the Commission approves this project since his daughter and son in law, who are the project sponsors, live only 10 minutes away.

**(+) James Saghi**



- He and his wife live about 10 minutes away from his son and daughter in law, who are the project sponsors.
- He also hopes that the Commission will approve the project since it will keep his family together.

**(+) Elizabeth Saghi**

- She lives in Noe Valley and her brother is one of the project sponsors.
- She hopes that the Commission will approve this project since it is important for her mother to walk and see her grandchildren.

**(+) Joe O'Donaghue**

- There is no loss of units here.
- The fact that the relatives live in the neighborhood, it is important that this merger be approved.

ACTION: Did not take DR and approved the merger  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay

21. 2000.1170D (M. SNYDER: 415-575-6891)  
2637-2639 24<sup>th</sup> STREET - south side between Potrero Avenue and Utah Street, Lot 25 in Assessor's Block 4264 - Request for Discretionary Review of Building Permit Application No. 2000/03/07/3664 proposing to construct a new building that would contain six new dwelling units, six parking spaces, and a small commercial unit, on a lot that currently contains a single-story commercial building. The property is within the 24th Street - Mission Neighborhood Commercial District, and a 65-A Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**SPEAKER(S):**

**(-) James P. Green – DR Requestor**

- He would like to point out that the application falsely states that the lot is vacant.
- The correct address for this project is 2639 not 2637 and the application is for lot 25 and in reality it is for lot 26.

ACTION: At the call of the Chair, this item was continued to April 25, 2002 so staff can confirm the address and lot number.

22. 2001.1112DD (M. WOODS: 415-558-6315 )  
2141 CHESTNUT STREET - south side between Steiner and Pierce Streets, Lots 20 and 21 in Assessor's Block 490 - Requests for Discretionary Review of Building Permit Application No. 2001/1011/0487S, proposing to convert a movie theatre use, formerly Cinema 21, to a retail sales and services use for Walgreens in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

**SPEAKER(S):**

**(-) Jim Maxwell – President of the Marina Merchants Association**

- He had requested to the project sponsor that he consider lending the space to another theatre operator and to consider the impact that the loss of the theatre would have to their community.
- Although the theatre has closed, they decided to file a Discretionary Review because of their concerns: added traffic congestion, the demise of other small businesses, the relocation or eviction of three small businesses from the property.
- He hopes that the Commission takes into consideration their issues, take Discretionary Review and disapprove the site permit application as submitted.

**(-) Patricia Vaughey – Marina/Cow Hollow Neighbors and Merchants Association**

- They put out two questionnaires to various neighborhood stores basically asking them what they wanted at this location.

- Although there are a large number of people who want to keep the theatre use, there are other neighbors who are ok with having Walgreen's in the neighborhood.

- If the Commission were to approve Walgreen's, the association would like to state a few conditions: 1) hours of operation would be 7:00 a.m. to 10:00 p.m.; 2) deliveries would be scheduled from 5:00 a.m. to 7:30 a.m.; 3) there is a yellow zone to 9:00 a.m.; 4) keep existing façade as much as possible; 5) building envelope shall not be expanded; 6) façade may not be tiled; 7) exterior doors and windows shall be wood framed; 8) windows at the upper portion shall remain; 9) Walgreen's shall increase their hardware, toys and five-and-dime products; 10) the magazine rack shall not exceed 6 feet in length and the paper rack shall not exceed 3 feet in length; 11) sidewalks adjacent to the building will be steam cleaned once a month; 12) doors and windows will be kept clean at all times; 13) landscaping shall be installed per Walgreen's discretion; 14) shall encourage public transit; 15) Walgreen's shall use it's best efforts to hire from residents of the Marina/Cow Hollow neighborhood.

**(-) Michael R. Farrah – Legislative Aid to Supervisor Newsome**

- On Monday, April 15, 2002, the Board of Supervisors unanimously passed a resolution asking the Planning Department to conduct a comprehensive study on the impact of loss of neighborhood theatres on the character and economic vitality of neighborhood commercial districts.

- He requested a continuance of this item. If this is not feasible, he would like to ask the Commission to take Discretionary Review and apply recommendations from staff.

**(-) Jordanna Thigpen – Marina Merchants Association**

- She is a merchant on Chestnut Street

- There are so many reasons to support having a theatre: 1) business services have dropped because of reduced foot traffic; 2) the location will remain vacant which could be a cause for vandalism; 3) Walgreen's already has a presence in the area.

- Parking will be a problem.

- Dinner theatres would be a better use.

**(-) Alfonso Felder – San Francisco Neighborhood Theatre Association**

- He would like to have this item continued in order to allow further study and further review and further study of the impact of the loss of the theatre.

- He hopes that the Commission will consider the legislation passed by the Board of Supervisors.

**(-) Jack Bair – San Francisco Neighborhood Theatre Association**

- The loss of the theatre will create less people to shop and eat at the local establishments.

- Theatres should be saved and made viable.

**(-) Peter Singh – Marina Merchants Association**

- He agrees with everyone who has spoken.

- Please plan properly and stop the process. Have the landlord listen to the neighborhood.

**(-) James Slaughter – Marina Resident and Homeowner**

- He would like to have this item postponed in order to have more time to see the impact of the loss of theatres in neighborhoods.

- He would like to preserve as many theatres as can be done.

**(-) Brian Chaney – Real Cinema**

- What is decided upon today will set a precedent to other theatres in the City.

- He would like some time in order to try to find a solution to the closures of theatres.

**(+) Jim Reuben – Reuben and Alter – Representing the Project Sponsor**

- Everyone from the neighborhood feels that Walgreen's is a good tenant.

- All the speakers seem to be saying is that they want a theater rather than saying that they oppose Walgreen's.

- Even if a Discretionary Review is taken, there will still be no theatre.

- The volume of the building will remain the same. At the conclusion of the Walgreen's tenancy, it is possible that someone might want to reinstall a theatre facility. The exterior façade as well as the marquee will remain.

- Taking Discretionary Review and disapproving the project will not produce results that will please anyone.

**(+) Allen Michaan – Renaissance Rialto Theatres**

- He has been working for theatres most of his life.

- Either the City subsidizes these theatres to an enormous degree, or close the multiplex theatres.

**(+) Ray Kaliski, Sr. – Louis Kaliski, Inc.**

- He was born in San Francisco.

- He has been in the theatre business all of his life just like his father.

- Walgreen's would be good tenant for this location.

**(+) Nissim Lanyadoo – Body Options**

- His business is located on Chestnut Street.

- He supports Walgreen's moving into this location.

**(+) Jack Shim – Fireside Camera**

- His business is located on Chestnut Street.

- He believes that Walgreen's would be a good use for this location.

**(+) Aman Daro**

- He was born in San Francisco.

- He read a letter from business owners who are in support of this project.

**(+) Rosario Sapienza**

- He has lived in the Cow Hollow area for many years. Although he moved to Marin, he visits the Chestnut area frequently.

- He supports the idea to have a Walgreen's come into the neighborhood.

**(+) Jerry Moskowitz – Edward Plan Co. Inc.**

- He read two letters from two people who could not attend but are in support of the project.

**(+) Steve Fuller – Walgreen's**

- He is representing Walgreen's. He is a store manager.

- Walgreen's on Chestnut needs more space and have been asking for more space for about 10 years—in order to provide better service to their customers.

- Walgreen's has been on Chestnut for about 37 years.

- Their relationship with Mr. Keliski extends for over four decades.

**MOTION:** Take Discretionary Review and disapprove project

**AYES:** Baltimore, Lim, Joe

**NAYES:** Chinchilla, Salinas, Theoharis

**RESULT:** The motion failed to carry.

**MOTION:** Take Discretionary Review and Approve with Staff recommendation

**AYES:** Chinchilla, Salinas, Theoharis

**NAYES:** Baltimore, Lim, Joe

**RESULT:** The motion failed to carry.

**ACTION:** Continued to a future date at the call of the chair

## H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: 10:10 p.m.

**THE DRAFT MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, May 16, 2002**

**SPEAKER(S):** None

**AYES:** Baltimore, Fay, Joe, Lim and Salinas

**ABSENT:** Chinchilla and Theoharis

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1/25/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, April 25, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAY 28 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
**ABSENT:** Joe

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:45 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green - Director; Larry Badiner - Zoning Administrator; Jean Paul Samaha; Ben Fu; Jamilla Vollman; Dan Sirois; Rick Crawford; Nannie Turrell; Michael Li; Dario Jones; Kate McGee; Joy Navarrete; Jonathan Purvis; Thomas Wang; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2000.1170D (M. SNYDER: 415-575-6891)  
2637-2639 24<sup>th</sup> STREET - south side between Potrero Avenue and Utah Street, Lot 25 in Assessor's Block 4264 - Request for Discretionary Review of Building Permit Application No. 2000/03/07/3664 proposing to construct a new building that would contain six new dwelling units, six parking spaces, and a small commercial unit, on a lot that currently contains a single-story commercial building. The property is within the 24th Street - Mission Neighborhood Commercial District, and a 65-A Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of April 18, 2002)

**(Proposed for Continuance to ~~May 2, 2002~~ May 16, 2002)**

**SPEAKER(S):** None

**ACTION:** Continued to May 16, 2002

**AYES:** Baltimore, Fay, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla, Joe



2. 2000.790EKXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (aka 155 FIFTH STREET) - northeast corner of 5th Street, Lot 66 in Assessor's Block 3724 -- (1) Request for Determinations of Compliance under Planning Code Section 309 (Downtown Project) and (2) Request for Exceptions, including an exception to the Reduction of Ground Level Wind Currents requirement (Section 148); (3) Request for Conditional Use authorization for a hotel, Planning Code Sections 303 and 216(b) and (4) Amendments to the Planning Code and Zoning Maps to change the height, bulk and Floor-Area Ratio (FAR) of the project site, Planning Code Section 302(c) . The proposal would change the height and bulk zoning of the project site from 160-F to 320-M and would change the maximum FAR from 5:1 to 7.5:1 without the purchase of Transferable Development Rights (TDR). (The current zoning allows a maximum FAR of 7.5:1, but only with the purchase of TDR). The Project would also require amendments to the Urban Design and Land Use Elements of the General Plan and the Downtown Area Plan to be consistent with the proposed changes related to height, bulk and FAR.  
Preliminary Recommendations: Pending  
**Note: The project CURRENTLY PROPOSES TO rezone to a 320-S height and bulk district, INSTEAD of a 320-M district AS ORIGINALLY REQUESTED.**  
**(Continued from Regular Hearing of February 28, 2002)**  
**(Proposed for continuance to May 16, 2002)**

SPEAKER(S): None  
ACTION: Continued to May 16, 2002  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

3. 2001.1168D (M. SMITH: 415-558-6322) -  
138 WHITNEY STREET - west side of the street between Fairmount and Randall Streets, Lot 007 in Assessor's Block 6664 - Request for Discretionary Review of Building Permit Application No. 2000/12/19/8292, proposing to enlarge the existing detached garage to accommodate two cars and construct a two-story addition located partially on the roof of the garage, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the Project  
(Continued from Regular Calendar of February 21, 2002)  
**(Proposed for Continuance to May 23, 2002)**

SPEAKER(S): None  
ACTION: Continued to May 23, 2002  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

4. 2002.0153T (J-P. SAMAHA: 415-558-6602)  
MULTIPLE LANGUAGES LEGISLATION - Consideration of recommendations for an ordinance amending Building Code by adding Section 104.6 through 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages.  
Preliminary Recommendation: Pending  
**(Proposed for Continuance to May 23, 2002)**

SPEAKER(S): None  
ACTION: Continued to May 23, 2002  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

5. 2001.1176D (S. VELLVE: 415-558-6263)  
2298 – 22<sup>nd</sup> AVENUE - east side between Ocean Ave. and Sloat Blvd., Lot 007 in Assessor's Block 7205 - Request for Discretionary Review of Building Permit Application No. 2001/10/09/0234, proposing to construct horizontal extensions of 11 feet at the ground floor, 7 feet at the second floor and a partial third floor to an existing single-family dwelling within a RH-1(D) (House, One-Family, (Detached Dwelling) District and a 40-X Height and Bulk District  
Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.  
**(Proposed for Continuance to June 27, 2002)**

SPEAKER(S): None  
ACTION: Continued to June 27, 2002  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

## B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption - draft minutes of April 4, 2002.

SPEAKER(S): None  
ACTION: Approved  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

**Commission President Chinchilla took over the meeting from this point on.**

7. Consideration of Modifications to the Commission Hearing Schedule for 2002.

SPEAKER(S): None  
ACTION: Reinstated May 30, 2002 as a special hearing date.  
AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
ABSENT: Joe

8. Commission Matters

### **Commissioner Baltimore:**

- She would like to have calendared, a review of the elevator code as it applies to roof decks in compliance with Title 24.
- She would also like to have calendared on May 31 (30), 2002, a review of the present parking regulations, policies and codes.

## C. DIRECTOR'S REPORT

9. Director's Announcements  
**None**

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**  
*Re: Budget Committee*  
- Presented work program and budget for fiscal year 2002-2002.  
- The Board took this as an introductory presentation to prepare themselves for future dates they might ask for  
- They felt that the Planning Department receives enough funding.  
- During this hearing, the subject of the audit came up. This audit is not available since it's still in draft form.

**BOA – None – Meeting cancelled because there was no quorum.**

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

**David Silverman – Reuben and Alter, representing the project sponsor**

*Re: 1087 Mississippi Street*

- The project sponsor went around to everyone in the neighborhood and received unanimous support for the project. The project sponsor submitted letter of support.
- The plans for the project have been modified and these modifications are good for the neighborhood.
- Planning staff is in agreement with these modifications.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED**

- 11a. 2001.1088CD (B. FU: 415-558-6613)  
1087 MISSISSIPPI STREET - east side, between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224 - Request for Conditional Use Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to demolish an existing industrial building and allow the construction of one (1) additional dwelling unit for a total of three (3) units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation. The project was previously approved for two (2) dwelling units on April 19, 2001.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of April 11, 2002)  
**NOTE: On April 11, 2002, following public testimony the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +5 -1. Commissioner Lim voted No and Commissioner Theoharis was absent. The matter was continued to 4/25/02 for final action.**

**SPEAKER(S):** None  
**MOTION:** Approve Project  
**AYES:** Baltimore, Fay, Lim  
**NAYES:** Chinchilla, Salinas, Theoharis  
**RESULT:** The motion failed

**ACTION:** Disapproved Project  
**AYES:** Baltimore, Chinchilla, Salinas, Theoharis  
**NAYES:** Fay, Lim  
**ABSENT:** Joe  
**MOTION:** 16383

- 11b. 2001.1088CD (B. FU: (415) 558-6613)  
1087 MISSISSIPPI STREET - east side, between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224 - Mandatory Discretionary Review per Planning Commission IPZ Policy, Resolution Number 16202), to demolish an existing industrial building and allow the construction of one (1) additional dwelling unit for a total of three (3) units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation. The project was previously approved for two (2) dwelling units on April 19, 2001.  
 Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of April 11, 2002)

**NOTE:** On April 11, 2002, following public testimony the Commission closed the public hearing and passed a motion of intent to take discretionary review and disapprove by a vote of +5 -1. Commissioner Lim voted No and Commissioner Theoharis was absent. The matter was continued to 4/25/02 for final action.

SPEAKER(S): None  
 MOTION: Do not take Discretionary Review and Approve Project  
 AYES: Baltimore, Fay, Lim  
 NAYES: Chinchilla, Salinas, Theoharis  
 RESULT: The motion failed  
 ACTION: Took Discretionary Review and disapproved the project  
 AYES: Baltimore, Chinchilla, Salinas, Theoharis  
 NAYES: Fay, Lim  
 ABSENT: Joe

## F. REGULAR CALENDAR

12. 2002.0047Q (J. VOLLMANN: 415- 558-6612)  
1919 OCTAVIA STREET - west side between Sacramento and California Streets, Lot 3 in Assessor's Block 0639 - Request of authorization to approve a six-unit residential condominium conversion subdivision in an RM-2 (Residential, Mixed) District and a 40-X Height and Bulk District. The proposal is to change the existing building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.  
 Preliminary Recommendation: Approval

SPEAKER(S): None  
 ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
 ABSENT: Joe  
 MOTION: 16384

13. 2002.0192C (J. VOLLMANN: 415-558-6612)  
2215-2217 UNION STREET - south side between Fillmore and Steiner Streets, Lot 001A in Assessor's Block 0539 - Request for Conditional Use Authorization pursuant to Planning Code Section 725.45 to allow a liquor store use that sells beer, wine and distilled spirits. The proposal is to add a Type 21 ABC license for the sale of beer, wine and distilled spirits sales within an existing retail grocery store (Union Street Pantry) which is in the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):  
 (+) Patricia Vaughney – Marina/Cow Hollow Neighborhood Association  
 - The association is in full support of this item.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
 ABSENT: Joe  
 MOTION: 16385

- 14a. 2000.0882PR (D. SIROIS: 415-558-6313)  
99 HARDING ROAD - (Harding and Fleming Park Golf Courses) - bounded by Lake Merced Boulevard and Skyline Boulevard on Assessor's block 7283- Request by the San



Francisco Recreation and Park Department for Coastal Zone Permit Authorization pursuant to Planning Code Section 330 to renovate the Harding Park/Fleming Park golf complex, which includes landscape improvements and the demolition and construction of golf facility buildings. The subject site is located in a P (Public Use) District and an OS (Open Space) Height and Bulk District, within the Coastal Zone Permit Area.  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Bob McDonald – Recreation and Park Department**

- The department is very excited about this project.
- This project means great capital improvement for many years.

(+) **Jackie Fong – Property Management of the Recreation and Park Department**

- This is a great program that will work with schools and kids.

(+) **Supervisor Tony Hall**

- He would like to ask the Commission to make a speedy approval of this park.
- The Board of Supervisors totally supports this project.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis

ABSENT: Joe

MOTION: 16386

- 14b. 2000.0882PR (D. SIROIS: 415-558-6313)  
99 HARDING ROAD - Harding Road (Harding and Fleming Park Golf Courses), bounded by Lake Merced Boulevard and Skyline Boulevard on Assessor's block 7283 - Request by the San Francisco Recreation and Park Department for a General Plan Referral pursuant to Section 4.105 of the City/County Charter to renovate the Harding Park/Fleming Park golf complex (including landscape improvements and the demolition and construction of buildings) in a P (Public Use) District and an OS (Open Space) Height and Bulk District, within the Coastal Zone Permit Area.  
Preliminary Recommendation: To be found in conformity with the General Plan.

SPEAKER(S): Same as those listed in item 14a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis

ABSENT: Joe

MOTION: 16387

15. 2001.0134C (R. CRAWFORD: 415-558-6358)  
4735 MISSION STREET - southeast side of Mission Street between Russia and Persia Avenues, Lot 024C of Assessor's Block 6084 - Request under Planning Code Section 161. (j) for Conditional Use Approval for a reduction of 2 off street parking spaces required for dwellings for a Project with ground floor commercial and 2 dwelling units. This project lies within an NC-3 Moderate Scale Neighborhood Commercial District and within the 65-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Lee Moulton – Project Architect – Moulton Architecture**

- He displayed photographs of Mission Street and how this project site looks now.

(+) **Yan Targan – Project Sponsor – Black Sea Corporation**

- The main purpose of this project is to improve commercial space.

(+) **Steven R. Currier – Outer Mission Residents Association**

- Their association is not opposed to this project.
- They are concerned about the high impact parked cars have on Mission Street, Russia Street and London Street.



- There are two parking lots within a half a block from this project.
- His only concern is that a condition be placed on the project that would encourage tenants to take public transportation.

ACTION: Approved  
 AYES: Chinchilla, Fay, Lim, Salinas  
 NAYES: Baltimore, Theoharis  
 ABSENT: Joe  
 MOTION: 16388

16. 1999.536EKCVC (N. TURRELL: 415-558-5994)  
855 SACRAMENTO STREET - Chinatown YMCA - **PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)**. The proposed project involves the construction of a new seven-story, 84,190-square-foot building to provide about 47,020 square feet (sf) of community and physical fitness space, approximately 37,170 sf of residential space, and one off-street parking space on the project site (Assessor's Block 242, Lot 27). The new housing units (a maximum of 28) would be affordable housing. The project would also include demolition of the existing Chinatown YMCA building, which appears to be eligible for listing on the National Register of Historic Places and the California Register of Historical Resources. The project site is on Sacramento Street between Grant Avenue and Stockton Street, within the Chinatown District. The project site is within the CRNC (Chinatown Residential Neighborhood Commercial) Zoning District, and a 65-A Height/Bulk District.  
 Preliminary Recommendation: No Action Required  
 Note: Written comments will be accepted at the Planning Department's offices until the close of business on May 7, 2002.

**SPEAKER(S):**

**(-) Richard Fong**

- He is against this environmental report.

**(-) Martin Ng**

- He is neutral about this project.
- He is concerned whether or not the housing will be below market or not, will it block the view from California and Stockton, etc.

ACTION: Public hearing only. No Action Required

17. 1999.536EKCVC (M. LI: 415-558-6396)  
855 SACRAMENTO STREET - Chinatown YMCA - south side between Brooklyn Place and Grant Avenue; Lot 027 in Assessor's Block 0242, within the CRNC (Chinatown Residential Neighborhood Commercial) Zoning District, and a 65-A Height/Bulk District. - Request for a determination of the shadow impact significance on the Chinese Playground at 830-860 Sacramento Street (Block 0225, Lot 018) from the construction of a new seven-story, 65-foot-high Chinatown YMCA.  
 Preliminary Recommendation: Determination that shadow impact is not significant or adverse.

**SPEAKER(S):**

**(+) Alice Barkley - Representing Project Sponsor**

- Studies were made concluding that there will be no shadow impacts.
- She urges the Commission to approve the project.

ACTION: Commission determined that shadow impacts are not significant or adverse.

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
 ABSENT: Joe  
 MOTION: 16389

18. 2001.0995CV (D. JONES: 415-558-6477)  
3130-3154 NORIEGA STREET - north side of Noriega Street between 39th and 38th Avenues, Lot 007 in Assessor's Block 2011- Request for Conditional Use Authorization under Planning Code Section 710.11, 710.21 to develop a mixed-use building on a lot exceeding 5,000 square feet in area, with a non-residential use size of 3,400 square feet within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
(Continued from Regular Meeting of April 18, 2002)

## SPEAKER(S):

**(+) Christopher A. Brose – Representative of the Project Sponsor – California Bar Association**

- He displayed photographs of the frontage of the building.

**(+) Cris Wen – Project Design/Architect**

- Displayed a model of the existing building and proposed building.

**(+) Helen Lam – Project Coordinator**

- Displayed photographs of the shadow studies.

**(+) Nagaki Uyemura**

- He hopes that the Commission will approve this project in order to start construction. This will be a great improvement to the neighborhood.

**(+) Hae Sgo Palk – Supermarket Owner**

- He supports the project.

**(+) Helen Lee – Project Manager – Lee and Lee Management**

- She is available for questions.
- They have good relations with the tenant.

**(+) Stephen Lau – Construction Consultant**

- He is available for questions.
- This is a wonderful project and it will increase housing in San Francisco.

**(-) Carolyn Kwan**

- She has a petition that includes about 80 signatures of people that are opposed to this project.

- This building will affect the quality of life to the surrounding neighbors and is not compatible with the single-family homes in the area.

**(-) Miriam Warren**

- She has been a resident of the neighborhood for 15 years.
- She is opposing this project

**(-) Barbara Peña**

- This project has a negative impact on the neighbors.
- She is speaking for herself and for her neighbors.
- She has lived in the area for many years.
- She would like to ask the Commission to disapprove this project since her concerns are traffic, safety, and noise.

**(-) Natalie Wong**

- She has lived on 38<sup>th</sup> Avenue for 20 years.
- She recently retired because of her health.
- Her mother was recently hit by a truck while taking her morning walk.
- She would like to ask the Commission to disapprove this project since she is concerned about the traffic, safety, and noise.

**(-) Farrell Smith**

- He never received a notice or heard about any meetings regarding this project.
- He is opposed to this building since it will lower the equity to his house.
- He is a firefighter/paramedic and works odd hours so he needs to sleep. This project will create a lot of noise and will increase traffic.

**(-) Sherif Soliman**

- He lives nearby.

- He is in support of people living in the area yet this project will take away from the character of the neighborhood.
- He hopes that the Commission will disapprove this project.

**(+) Gwen Anderson**

- She is in support of this project.
- This building will provide more housing to San Francisco.

**(+) Vivien Wong**

- She does not live in the Sunset but goes to Sunset Ministry.
- She is in support of this project since Noriega Street is a commercial street and this project is the best use for the area.
- This project will provide much-needed housing.

**(-) Charra de Marco**

- She wouldn't have known about this hearing if someone hadn't given her a copy of the notice.
- Her concerns against this project are that the traffic will increase, the noise will increase and there will be an impact on space in the neighborhood.

**(+) Ron Duom**

- He supports this project since the neighborhood has a residential component.
- The street is a transit corridor.
- The project sponsor has been very responsible.
- The project will improve the neighborhood.

**(-) Owen Schip**

- He has lived in the neighborhood for 32 years.
- He is against this project because it will cause more traffic problems.
- He was never sent a notice either.
- He hopes that the Commission will not approve this project.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Lim, Theoharis  
 NAYES: Salinas  
 ABSENT: Joe  
 MOTION: 16390

- 19a. 2002.0134CD (K. McGEE: 415-558-6367)  
3283 - 22nd STREET - south east corner of 22nd and Valencia Streets; Lot 34 in Assessor's Block 3636 - Request for Conditional Use authorization to permit alcoholic beverage service (with Alcohol Beverage Control Liquor License type 47) in conjunction with the permitted full-service restaurant on the subject property "Alma Restaurant." The property is located within the Valencia Neighborhood Commercial District, within a 50-X height and bulk limit, and is subject to the Mission District Interim Controls.  
 Preliminary Recommendation: Approve with conditions

**SPEAKER(S):****(+) Johnny Alamilla – Project Sponsor**

- He would like to serve alcoholic beverages at his restaurant.
- He is a good business owner and contributes to the community by donating food to Mission District schools and organizations.
- He hopes that the Commission will authorize this request.

ACTION: Approved  
 AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
 ABSENT: Chinchilla and Joe  
 MOTION: 16391

- 19b. 2002.0134CD (K. McGEE: 415-558-6367)  
3283 - 22nd STREET - south east corner of 22nd and Valencia Streets; Lot 34 in Assessor's Block 3636 - Mandatory Discretionary Review for all changes of use per the

Mission District Interim Controls to allow the service of liquor at a full-service restaurant (Alma Restaurant) in the Valencia Neighborhood Commercial District within a 50-X Height and Bulk Designation.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): Same as those listed in item 19a.

ACTION: Did not take Discretionary Review and approved project.

AYES: Baltimore, Fay, Lim, Salinas, Theoharis

ABSENT: Chinchilla and Joe

- 20a. 2001.1198CD (B. FU: 415-558-6613)  
1199 VALENCIA STREET - northeast corner of Valencia and 23rd Streets, Lot 024 in Assessor's Block 3636 - Request for Conditional Use Authorization under Planning Code Section 726.41 and pursuant to Planning Code Section 303, to allow the service of liquor at a new full-service restaurant in the Valencia Neighborhood Commercial District with a 50-X Height and bulk Designation. The project also requires a Mandatory Discretionary Review for the change of use to add a bar per Mission District Interim Controls.  
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

**(+) A.J. Gilbert – Project Sponsor**

- He also owns another restaurant on Valencia and would like to expand services at the other restaurant down the street.

**(+) Officer Sandra Ganster – Permit Officer at the Mission District Police Station**

- The owners of this restaurant have been good business owners.

- The Police Department endorses this endeavor.

**(+) Peter Glicstern – Mission Merchant's Association**

- The association supports this project.

ACTION: Approved

AYES: Baltimore, Fay, Lim, Salinas, Theoharis

ABSENT: Chinchilla and Joe

MOTION:

- 20b. 2001.1198CD (B. FU: 415-558-6613)  
1199 VALENCIA STREET - northeast corner of Valencia and 23rd Streets, Lot 024 in Assessor's Block 3636 - Mandatory Discretionary Review for all changes of use per the Mission District Interim Controls to allow the service of liquor at a new full-service restaurant in the Valencia Neighborhood Commercial District with a 50-X Height and bulk Designation.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): Same as those listed in item 20a.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Baltimore, Fay, Lim, Salinas, Theoharis

ABSENT: Chinchilla and Joe

21. 2000.1164ECD (J. NAVARRETE: 415 558-5975)  
1880 MISSION STREET - **Appeal of a Preliminary Negative Declaration.** On Assessor's Block 3547, on Lots 2A, 3, 4, and 29, the existing site is approximately 51,888 square feet in size and contains two existing buildings containing warehouse use and printing plant with offices. The proposal is to demolish the two existing buildings and construct one six-story plus two-level basement building containing 183 dwelling units and 25,811 square feet (sf) of commercial space (retail and office). The project would



include approximately 218 underground parking spaces to be used for both residential and commercial uses. The project site is located in a Heavy Commercial (C-M) zoning district, within a 65-B/50-X height/bulk district. Conditional Use authorization would be required for a Planned Unit Development, for dwelling units in a C-M zoning district, for a bulk exception and because the project proposes to provide less than 25% of its housing units as affordable housing.

Preliminary Recommendation: Uphold Preliminary Negative Declaration.

SPEAKER(S):

**(-) Sue Hestor – Representing Appellant – Mission Anti-Displacement Coalition**

- A cumulative analysis needs to be done because this is a very large project on a very large site with very large impacts.
- There are many issues in the case report that are still very inconclusive.

**(-) Roslyn Orca**

- She lives on Valencia Street.
- She is against luxury condominiums being built in this area since it will impair the community.
- The community is in need of affordable housing.
- She feels as if the project sponsors are moving her out to bring the rich in.

**(-) Eric Quesada**

- He is concerned that the negative declaration process didn't address the broader impacts that these developments are having in the community.
- He considers people that live in and around the areas that are impacted by any development as part of the environment.

**(-) Bernard Shirtser**

- He lives between 16<sup>th</sup> Street and Mission.
- He is against this project because it is a "condo castle" and because the residents of the area cannot afford to live there.
- The project sponsors have not made any effort to meet with the neighbors.

ACTION: Upheld the Negative Declaration

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis

ABSENT: Joe

MOTION: 16393

- 22a. 2000.1164ECD (J. PURVIS: 415-558-6354)  
**1880 MISSION STREET** - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Request for Conditional Use authorization under Planning Code Sections 215, 271 and 304, and Board of Supervisors Resolution No. 518-01 (Mission District Interim Controls) for a Planned Unit Development (PUD) exceeding bulk limits, and to allow construction of up to 183 dwelling units, 26,000 square feet of commercial space and up to 176 independently accessible off-street parking spaces. Exceptions are requested from rear yard, dwelling unit exposure and parking requirements of the Planning Code and to provide less than 25% of the dwelling units as affordable. The site is within a C-M (Heavy Commercial) Zoning District, a 50-X and 65-B Height and Bulk District and is subject to the Mission District Interim Controls.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Hearing of March 21, 2002)

SPEAKER(S):

**(+) Augustine Rojas – Project Sponsor**

- The project design includes a Mexican type of architecture.
- The various communities of the area will be able to use the facilities.
- This is a great project and he hopes that the Commission will approve it.

**(+) Warren Swaltz – Project Architect**

- This project will be located in a key location in the Mission District.



- It will also be located very close to BART.

- The architecture is colorful and cultural.

**(+) Ron Hartman – Independent Marketing**

- He lives in Hayes Valley.

- He is in support of this project because he believes that this project will bring more pedestrian traffic to the Mission District.

**(+) Michael Davos**

- The print industry has gone down tremendously.

- About 10 years ago, he used to have about 100 people in his company. Today he has 14--and this has nothing to do with management.

- His decision to sell his property is because he is getting out of the industry.

- He believes that the project architect is making a good project for this location.

**(+) Daniel Solorzano – Centro Latino Seniors – [Spoke in Spanish]**

- He has been recommended by members of the Centro Latino to speak in support of this project.

- The area is in bad condition and this will enhance the area greatly.

- We support this project completely.

**(+) Gloria Bonilla – Executive Director of Centro Latino de San Francisco**

- Centro Latino is located on 15<sup>th</sup> and Julian Streets.

- They have been operating for over 15 years providing services to seniors.

- They discussed the project with the seniors and they were overwhelmed as well as supportive of the project.

- The seniors have been in a negative environment for many years and deserve the right to a better area.

**(-) Mimi Zamora – St. Peter's Housing Committee – [Spoke in Spanish]**

- She is angry because many things are done without consulting the community.

- There are various community meetings being held regarding rezoning the area yet this project has come forward too quickly without the community's input.

- This project should become a center for rehabilitation for the community or to educate the youth.

Even though there are various non-profit organizations that are in support of this project, there are various community members who do not support it.

**(-) Tom Wetzel – SF Community Land Trust Collaborative**

- He has lived in the neighborhood since 1981.

- This area has the lowest income level of the City.

- More affordable housing is necessary in this area.

- These are the reasons why he is against this project.

**(-) Aurora Grajeda – Mission Agenda, COH, Transaction**

- He is against this project.

- He has lived in this neighborhood for three years.

- More and more people are leaving the area because they cannot afford it.

- He is against this project because the units are not affordable.

**(-) Wendy Phillips – Mission SRO Collaborative**

- She is speaking on behalf of the families who are forced to live in single occupancy hotels.

- She is speaking to voice their opposition to this project.

- This project is in an area that will not be affordable to residents of the area.

- It is important to respect the community planning process.

- She hopes that the Commission will not approve this project since there is still much work to do in the community planning process.

**(-) Bill Murphy**

- He has lived in the Mission for about 24 years. He also works in the area.

- He is against this project because it is a bad idea for this area.

**(-) David McGuire – Mission Agenda**

- He has been working in the Mission for three years.

- He lives on Sodal Security.

- This location should be reserved for affordable housing.
- He hopes that the Commission will vote this project down because it has nothing to do with this community.

**(-) Richard Marquez – Mission Agenda**

- He is against this project because the project sponsor has still not proven how this project will benefit the community.
- This community is going through a community planning process.
- This project will not pass in his community.

**(-) Fernando Perez - PODER**

- He is against this project because he doesn't believe that we need condominiums in the area. We need affordable housing.

**(-) Vladimir Ramirez - PODER**

- This project will not be affordable to the people who live in the area.
- If people want to do something good for the community, they should help them in another way.

**(-) Roger Marengo - PODER**

- He is against this project because it is like cholesterol that is clogging their arteries.

**(-) Eric Quesada – Mission Anti-Displacement Coalition/PODER**

- They have several concerns about this project.
- They are in the middle of a community planning process that they have worked very hard to move forward. This project is a betrayal of their process.
- The only types of projects that are allowed are the most expensive. The community has to say no. This is not the only type of project that can come to the area.
- He would like to ask the Commission to respect the community planning process.

**(-) Oscar Grande - PODER**

- He would like to say no to this project.
- This project is not affordable for the community. The community cannot afford these kinds of condominiums.
- The ground floor retail is designed to kick Mission residents out.
- Jobs are being lost.

**(-) Chris Selig – Mission Anti-Displacement Coalition**

- She is speaking against this project.
- This project does not work well with the existing community especially because they will not be affordable.
- Although there are many industries moving away from San Francisco, some industrial space should be saved.
- It would be a good idea to have these proceedings translated into other languages.

**(-) Cristina Olagin – Mission Agenda**

- She is against this project because the condos will not be affordable for the working class residents of the area.
- If Latino culture is to be preserved, creating jobs and affordable housing needs to be built.
- She hopes that the Commission disapproves this project.

**(-) Aimee-Patten – Mission SRO Collaborative**

- She used to live in the Mission District but because of the high rent prices she had to move to West Oakland. Now she works in the Mission District.
- Working with the people at Mission Agenda, they provide food but often have to turn people away because they run out of food.
- This project should show more good faith in being able to draw the community into the planning process. She doesn't believe that anything good will come from this project.
- She hopes that the Commission will disapprove this project.

**(-) Daphne Benson – Mission Agenda and Sixth Agenda**

- She is in agreement with everything that everyone has said.
- Her question is why bring expensive housing into a low-income neighborhood since they cannot be a part of it?

**(-) Sue Hestor**

- She is disappointed with the staff analysis.
- The design of the project might be very nice but it does not say anything about being part of the community.
- None of the retail opens towards the street. All the entrances are within the inside of the building.
- She believes that staff needs to redesign this project.

ACTION: Intent to Disapprove, Final Language May 9, 2002  
 AYES: Baltimore, Lim, Salinas, Theoharis  
 NAYES: Fay and Chinchilla  
 ABSENT: Joe

- 22b. 2000.1164ECD (J. PURVIS: 415-558-6354)  
1880 MISSION STREET - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Mandatory Discretionary Review of a proposal to demolish two light industrial buildings and construct a mixed-use Planned Unit Development. Mission District Interim Controls (Board of Supervisor's Resolution No. 518-01) require Discretionary Review for all land use changes in the subject area. The property is within a C-M (Heavy Commercial) Zoning District, and a 50-X and a 65-B Height and Bulk District. Preliminary Recommendation: Do not take D.R. and approve the project as proposed.

SPEAKERS: Same as those listed in item 22a.  
 ACTION: Intent to take Discretionary Review and Disapprove the Project; Final Language May, 9, 2002.  
 AYES: Baltimore, Lim, Salinas, Theoharis  
 NAYES: Fay and Chinchilla  
 ABSENT: Joe

**G. DISCRETIONARY REVIEW HEARING**

At Approximately **7:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

23. 2001.0947D (T. WANG: 415-558-6335)  
355 COUNTRY CLUB DRIVE - south side near Huntington Drive; Lot 001 in Assessor's Block 7274 - Request for Discretionary Review of Building Permit Application No. 2001/08/21/6532 to construct a second floor vertical addition, at the existing one-story, single-family dwelling in an RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

**SPEAKER(S):****(-) Steve Williams – Representing DR Requestor**

- There is information in the case report that is incorrect.
- This addition is a monster addition.
- There will be a lot of rooms and walls removed, so this should be called a demolition.

**(-) Bill Chionsini – West of Twin Peaks Council**

- The council is against this project because it is out of character.
- His organization works to keep the character of the neighborhood.
- He lives two blocks away from this project.

**(-) Bruce Selby**

- He is speaking for himself and his wife but also represented various neighbors who are against this project.

- He and his wife have met with the planner and the project architect in order to try to come to a compromise.
- The addition is too large.

**(-) Robert O'Connor**

- He and his wife have lived on Country Club Drive for about 50 years.
- The area and the homes are still very desirable.
- He is against this project because it does not conform to the style and size of the other homes in the area.
- The project will block the sunlight to his home.
- He hopes that the Commission will disapprove this project.

**(-) Clarence Searles**

- He has lived on Country Club Drive for about 50 years.
- He is against this project.

**(-) Ronald Chun – Lakeshore Acres Improvement Club**

- This project is very oversized.
- This project will change the dynamics of this community.
- He is here to urge the Commission to reject this project.

**(-) Chris Manitsas – Lakeshore Acres Improvement Club**

- He is a member of the architectural committee.
- This addition is overwhelming to the site.

**(-) Merriam Levy**

- She has live here for over 50 years.
- She does not want a monster house in her neighborhood.
- She would like the Commission to reject this project.

**(-) Ronald Levy**

- This addition will create a type of home that will be incompatible to the neighborhood.
- The residential design guidelines require development to respect the scale of the neighborhood.

**(-) Vera Pierucci**

- She has lived on Country Club Drive for 40 years.
- She objects to the plans for the addition of the subject property.
- The house has a large amount of square footage.
- The plans nearly double the size of the home.
- She is concerned about the construction of monster homes in her area in San Francisco.
- She hopes that the Commission will deny the building permit.

**(-) Leslie Zamariva**

- She objects strongly to the plans of this addition.
- She has a profound appreciation for historic preservation in communities.
- It is unsafe to drive through a curb on her street since there are various cars that are parked there.
- She hopes that the Commission will reject this petition.

**(-) Matthew Faciano**

- He and his wife moved into the neighborhood 10 years ago.
- He hopes that the Commission will turn down this project.

**(+) Steve Vettel – Representing Project Sponsor**

- This is a neighborhood of two-story houses.
- This is the only one-story house in the neighborhood and it has the largest lot in the neighborhood.
- Fifteen neighbors have signed petitions in support of the project.
- He believes that many people are misunderstanding the elevations of the homes.
- There are no impacts on light and air.
- This design is appropriate for the neighborhood.
- This building complies with the residential design guidelines.

**(+) Karen Wong – Project Sponsor**

- The house as it is is a small single-family house.



- Her son is sleeping in an open dining area. This is not only inconvenient but makes it hard for her children to study.

**(+) Van Lee – Project Architect**

- She purposely ordered a survey to get the exact measurements.

**MOTION:** Take Discretionary Review and approve no more than a 900 square foot addition.

**AYES:** Salinas and Theoharis

**NAYES:** Baltimore, Fay, Chinchilla

**ABSENT:** Joe and Lim

**RESULT:** The motion failed

**MOTION:** Do not take Discretionary Review and eliminate double doors.

**AYES:** Baltimore, Chinchilla, Fay

**NAYES:** Salinas and Theoharis

**ABSENT:** Joe and Lim

**RESULT:** The motion failed

**ACTION:** At the call of the Chair, the project was continued to May 30, 2002.

## H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**William Dunne**

- He lives on 251 Country Club Drive

- His home is quite small.

- Any addition to the house around his home would make his home look like a very small cottage.

Adjournment: 8:15 p.m.

## THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, May 23, 2002

**ACTION:** Approved

**AYES:** Baltimore, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla



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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 2, 2002

**1:30 PM**  
Regular Meeting

DOCUMENTS DEPT.

MAY 28 2002

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**PRESENT:** Baltimore, Chinchilla, Fay, Lim, Salinas  
**ABSENT:** Joe and Theoharis

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 2:06 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Jean Paul Samaha; ; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. ~~2000.0015C~~ 2002.0015C (D. SIROIS: 415-558-6313)  
1005-1007 GENEVA AVENUE - north side of Geneva Avenue, between Paris and Lisbon Streets, Lot 013 in Assessor's Block 6408 - Request for Conditional Use authorization to demolish a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space for the existing business-Apollo Heating in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions  
(Proposed for Continuance to June 6, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued as Proposed  
**AYES:** Baltimore, Chinchilla, Fay, Lim  
**ABSENT:** Joe, Salinas, Theoharis

2. 2002.0089D (M. WOODS: 415-558-6315)  
607 BELVEDERE STREET - west side between 17<sup>th</sup> and Carmel Streets, Lot 2 in Assessor's Block 1291 - Request for Discretionary Review of Building Permit Application

No. 2001/1031/2222, proposing to convert a portion of the existing garage and attic into habitable spaces; construct a two-story side addition, three new dormer windows at the attic level, and a three-story deck and stairs at the rear of the single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: pending  
**(Proposed for Continuance to June 27, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Fay, Lim  
ABSENT: Joe, Salinas, Theoharis

3. 2001.1202C (M. SMITH: 415-558-6322)  
**5200 DIAMOND HEIGHTS BOULEVARD** - southwest corner of Diamond Heights Boulevard and Duncan Street, Lot 001 in Assessor's Block 7521- Request for Conditional Use Authorization under Planning Code Section 209.4 to use the existing banquet room on the property as a community facility for a limited number of non-church related events, located in a RH-1(D) (Residential, House, One-Family, (Detached)) District and a 40-X Height and Bulk District.

**NOTE: THIS PROJECT IS BEING RE-NOTICED AND WILL APPEAR IN A FUTURE CALENDAR ONCE THAT PROCESS IS COMPLETE.**

SPEAKER(S): None

#### **B. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Commission Matters  
**Commissioner Chinchilla:**  
*RE: R-MAX Request*  
- There was a request from the project sponsor of 1880 Mission Street, which was heard by the Commission last week, for the Commissioners who voted against the project to rescind their votes.  
- Commissioner Chinchilla asked if any commissioner on the prevailing side of the vote wanted to rescind their vote. There were none.

Re: Lateness  
- If any Commissioner will be late, please let the Commission Secretary know.

#### **C. DIRECTOR'S REPORT**

5. Director's Announcements  
*Re: Activities going on at the Planning Department*  
- In the past month, the Department has been experiencing problems with the computer system.  
- Director Green would like to let everyone know that they are dealing with the situation. -  
- This just has to do with receiving appropriate funding. The Director will be attending the Finance Committee to ask for the release of some funds that were originally intended to be used toward the upgrade of the network. But because of a variety of issues, the Department will be prevented to use these funds before May 15.  
- The system will be very inconsistent and he asks the public and the Commission for patience.
6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS  
*Re: Conditional Use at 417 31<sup>st</sup> Avenue – antenna preference 1*  
- The Board upheld the Commission's decision on a vote +9-2.

Re: 20 Woodside (aka as 501 Laguna Honda) – antenna preference 1

- The board upheld the Commission's decision on a +7-4.

Re: "Big Box Retail"

- The Board did not take up the legislation on big box retail.

- The president of the Board had a desire that the Director of Planning impose an action of Discretionary Review on the Home Depot proposal on Bayshore Boulevard. A Discretionary Review to allow a public hearing and to allow for appropriate conditions to be established. The Director is supportive of this.

BOA – None

#### D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

#### E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

7. 2002.0090C (R. CRAWFORD: 415-558-6358)

1525 OCEAN AVENUE – between Capitol and Miramar, Assessor's Block 6936 Lot 014. Request under Planning Code Section 161(j) for Conditional Use approval for a reduction of 3 off street parking spaces required for dwellings for a project with ground floor commercial and 3 dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

**NOTE: On April 18, 2002, following public testimony, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +6-0 with Commissioner Fay absent. The matter was continued to May 2, 2002, for final action.**

SPEAKER(S): None

ACTION: Project Disapproved

AYES: Baltimore, Chinchilla, Fay, Lim

ABSENT: Joe, Salinas, Theoharis

MOTION: 16394

8. 2001.0244CV (G. NELSON: 415-558-6257)

321 JUDAH STREET - south side between 8<sup>th</sup> and 9<sup>th</sup> Avenues; Lot 051 in Assessor's Block 1845 - Request for Conditional Use authorization under Sections 161(j) and 730.39 of the Planning Code to demolish an existing two-story building containing a commercial space on the ground floor and a dwelling unit on the second floor and construct a new four-story building to contain a commercial space on the ground floor with two dwelling units above. The project seeks a reduction in the off-street parking requirement from two (2) spaces to none (0). The proposed project is within the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. This project also seeks a rear yard variance to allow for a fire escape stair.

Preliminary Recommendation: Approval with conditions

**NOTE: On April 18, 2002, following public testimony, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +5-1,**

**Commission Lim voted No; Commissioner Fay was absent. The matter was continued to May 2, 2002, for final action.**

SPEAKER(S): None  
ACTION: Project Disapproved  
AYES: Baltimore, Chinchilla, Fay, Lim  
ABSENT: Joe, Salinas, Theoharis  
MOTION: 16395

## F. REGULAR CALENDAR

9. 2002.0078Q (V. MASSEHIAN: 415-558-6363)  
135 CARL STREET - south side between Shrader and Cole Streets, Lot 020 in Assessor's Block 1272 - Request for approval of a six-unit residential conversion subdivision in an RH-3 (Residential, House, Three Family) District and a 40-X Height and Bulk District. The proposal is to change the existing six-unit building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.

Preliminary Recommendation: Approval

SPEAKER(S): None  
ACTION: Approved  
AYES: Baltimore, Chinchilla, Fay, Lim  
ABSENT: Joe, Salinas, Theoharis  
MOTION: 16396

10. 2002.300B (P. ARCE: 415-558-5986)  
MISSION BAY SOUTH BLOCK 41, PARCEL 1 - Request under Planning Code Section 321 (Office Development: Annual Limit) for a determination of the design quality and Project Authorization of the proposed office development for a five story building including 160,100 square feet of office space, pursuant to Planning Commission Resolution No. 14702. The Project site lies within the Mission Bay South Redevelopment Area and is classified as a Commercial Industrial District, as defined in Section 302.3 of the Mission Bay Redevelopment Plan, and is within the Height Zone 7 (HZ-7). This proposal consists of 160,100 square feet of office space, and a temporary surface parking area in Block 40, located south of the Site. Pursuant to Code Section 314, the project, which the Department has determined would result in the addition of 160,100 square feet of office use gross floor area, would require the provision of Child Care facilities. Any person may appeal this initial determination by delivering an appeal in writing to the Department within 15 days of this notice.

Preliminary Recommendation: Approval

SPEAKER(S):  
(+) Douglas Gardner – President, Catellus Development Corporation  
- He gave a PowerPoint presentation regarding Mission Bay and Catellus.

ACTION: Approved  
AYES: Baltimore, Chinchilla, Fay, Lim  
ABSENT: Joe, Salinas, Theoharis  
RESOLUTION: 16398

11. 2002.301B (P. ARCE: 415-558-5986)  
MISSION BAY SOUTH BLOCK 42, PARCEL 4 - Request under Planning Code Section 321 (Office Development: Annual Limit) for a determination of the design quality of the proposed office development for a two-story building including 80,922 square feet of office space, pursuant to Planning Commission Resolution No. 14702. The Project Site



lies within the Mission Bay South Redevelopment Area and is classified as a Commercial Industrial District, as defined in Section 302.3 of the Mission Bay Redevelopment Plan, and is within the Height Zone 7 (HZ-7). This proposal consists of 80,922 square feet of office space. The proposal includes the completion of the adjacent sidewalks, (paving, planting of trees and installation of public lighting) and a temporary surface parking area in Parcel 6, located north of the Site. Pursuant to Code Section 314, the project would require the provision of Child Care facilities for an 80,922 square foot office. Any person may appeal this initial determination by delivering an appeal in writing to the Department within 15 days of this notice.

Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim

ABSENT: Joe, Salinas, Theoharis

MOTION: 16397

12. 1999.457L (J. TULLY: 415-558-6372)  
390 LAGUNA HONDA BOULEVARD - Laguna Honda (Forest Hill) Muni Station. Assessor's Block 2864, Lot 50. The one-story, concrete and stucco, Mission and Neoclassical Revival-styled street railway station was constructed in 1917. The proposed landmark site is the station's original 1917 building and does not include a 1985 addition or any other aspect of Block 2864, Lot 50. The subject property is zoned P (Public) and is in an OS (Open Space) Height and Bulk District. Request for Commission approval of the proposed landmark designation, which was initiated by the Landmarks Preservation Advisory Board on January 23, 2002.  
Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim

ABSENT: Joe, Salinas, Theoharis

MOTION: 16399

13. 2001.0789C (M. SMITH: 415-558-6322)  
597-599 MONTEREY BOULEVARD - southeast corner of Monterey Boulevard and Foerster Street, Lot 028 in Assessor's Block 3116 - Request by Sprint PCS for Conditional Use Authorization under Planning Code Sections 710.83 to install a wireless telecommunication facility consisting of two antennas mounted near the northwest corner of the rooftop, one GPS antenna mounted to the southeast corner of the rooftop, and five associated equipment cabinets installed within the detached garage of a two-story mixed use building located in a NC-1 (Neighborhood Commercial Cluster) District and a 32-X Height and Bulk District. The subject site is a Limited Preference 6 site according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as it is a mixed-use building in a NC-1 District.  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing - continued to May 23, 2002

AYES: Baltimore, Chinchilla, Fay, Lim,

ABSENT: Joe, Salinas, Theoharis

- 14a. 2002.0184CV (M. SNYDER: 415-575-6891)  
2196 3<sup>RD</sup> STREET - northwest corner of 3<sup>rd</sup> Street and 19<sup>th</sup> Street, Lot 30 (Previously Lots 15 and 17) of Assessor's Block 4044 - Request for Conditional Use authorization under Planning Code Section 215 to allow the construction of 18 dwelling units within an



M-2 (Heavy Industrial) District and a 50-X Height and Bulk District. The project would entail the demolition of the existing one-story auto repair business, and the construction of a new building that would contain 18-dwelling units, approximately 5,750 gross square feet of ground floor commercial space, and 23 parking spaces. The building would be approximately 50-feet or five-stories tall measured from grade level at 3<sup>rd</sup> Street.  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Toby Levy**

- She described the design of the building.

(+) **Joe Boss – Member of the Dogpatch and Potrero Boosters**

- Both organizations are in support of this project.

- He believes that this is an ideal project.

ACTION: Approved

AYES: Chinchilla, Fay, Lim, Salinas

NAYES: Baltimore

ABSENT: Joe and Theoharis

MOTION: 16400

- 14b. 2002.0184CV (M. SNYDER 415-575-6891)  
2196 3<sup>RD</sup> STREET - northwest corner of 3rd and 19th Street, Lot 30 (Previously Lots 15 and 17) of Assessor's Block 4044 - Request for a Rear Yard Variance under Planning Code Section 134(a)(1)(C) and 305, to allow the proposed building to be constructed in an "L"-shaped configuration with building having frontages on both 3rd Street and 19th Street, in an M-2 (Heavy Industrial) District and a 50-X Height and Bulk District. With this "L"-shaped configuration, a portion of the building along the 19<sup>th</sup> Street frontage would technically be within the required rear yard.

SPEAKER(S): None

ACTION: Zoning Administrator closed the public hearing and granted the variance.

15. 2002.0165C (T. TAM: 415-558-6325)  
2362 MARKET STREET north side of Market Street between Castro Street and 16th Street; Lot 11 in Assessor's Block 3562 - Request for a Conditional Use authorization pursuant to Planning Code Section 721.41, 720.42, and 721.21 to allow the establishment of a full-service restaurant and bar, approximately 4,000 square feet in the Upper Market Neighborhood Commercial District and 65-B Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) **Amad Nazad – Project Architect**

- He is available for questions.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas

ABSENT: Joe and Theoharis

MOTION: 16401

Continued to the 4:00 p.m. calendar:

16. 2002.264C (M. WOODS: 415-558-6315)  
2548 CALIFORNIA STREET - north side, between Steiner and Pierce Streets, Lot 9 in Assessor's Block 634 - Request for Conditional Use authorization under Planning Code Sections 303, 352 and 718.39 to amend and reauthorize a previously approved Conditional Use authorization (Case No. 96.319C, Motion No. 14442) for the partial

demolition of an existing residential use on the second floor of the building fronting on California Street located in the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Debra Stein – Representing Project sponsor**

- The proposed project is consistent with the height of the homes on both sides of the street.

- There was a shadow analysis done and it showed that there would be no impacts.

- This project will increase the size of the yard.

- This project will be subject to rent control.

- This project will have the exact density as required.

**(+) Elizabeth Tippin – Attorney Mediator**

- She had meetings with the DR requestor and other neighbors. As a result of these meetings there were various issues that were resolved and design changes.

- She read letters from neighbors who are in support of the project.

**(+) Gregory Iboshi – Project Architect**

- He described details of the design of the proposed project.

- He did a shadow report and the result was that the project would not cast any shadows on the neighboring homes.

**(+) Laura Cheng – Project Sponsor**

- She and her husband will be expanding in order for her family to live more comfortably as well as open an art gallery.

- They have more than 50 neighbors who support their project.

- They have been sensitive to the issues their neighbors have had.

- She would like to make sure that the neighbors understand that the art gallery that they want to open will be a legitimate art gallery. Since 1976 they have been providing Asian art to customers like the Asian Art Museum, The De Young Museum, etc.

- They have a warehouse in the South of Market area.

**(-) Steve Williams – Representing DR Requestor**

- The project will merge two flats together creating a very large mansion.

- This is an illegal demolition since 2/3 of the building will be destroyed.

- The neighborhood support is not really there since several of the support letters are from business associates who do not live in the neighborhood.

**(-) Karen Fearson – DR Requestor**

- She lives on California Street.

- The subject property has not been well kept for all the years the project sponsor has owned it.

- She would like the property to be scaled down in order to be more compatible with the neighborhood.

- She submitted letters and petitions from neighbors who are against this project.

- She hopes that the Commission will scale down this project.

**(-) Jacalyn Kinney**

- She lives on Perine Place.

- She is concerned about the size and scale of the proposed project.

- She lives in a building that is one story and knows that the project will impact the street and the sidewalk as well as her home.

- The street she lives on is very small and she is concerned about the traffic jams especially if there are any life-threatening emergencies.

**(-) Jim Scott**

- This request is asking for modification to plans from 5 years ago.

- This design will have the back 2/3 removed--especially the sun porch.

- He is not in support of this project.

**(-) Fran Finney**

- She and her husband live on Perine Place.

- She believes that the height of the building is too large. The ambiance and the light will be affected.

- This building will be right for a condo conversion at some point.

**(-) Bill Henslin**

- He likes the idea of having an art gallery in his neighborhood. He is also in agreement with property owners to improve their properties yet this property is too large and out of character with the neighborhood.

- He is also concerned with the loss of units.

- Each of the floors can be an independent unit.

- He also believes that the project can be scaled down without too much loss of space to the project sponsor.

**(-) Alexander Muromcew**

- He would have liked to have the project sponsor contact the neighbors to get their opinions.

- He is strongly opposed to this because it will largely change the character of the neighborhood.

**(-) Judy Muromcew**

- She and her husband really value the homes on Perine Place.

- This project will change the character of the neighborhood.

- She is very concerned about the demolition and how this might affect the next door neighbors.

**(-) Courtney Clarkson – Pacific Heights Association and Preservation Community**

- This project is much too large for the neighborhood.

- Since 1996, the neighbors have not been in agreement with this project. The project sponsor has gone through 6 architects yet the neighborhood is still opposed to this project.

**(-) Patricia Vaughey**

- The plans have changed radically since 1997.

- She would like the Commission to approve what was submitted in 1997.

- She is more concerned about the process of this case.

ACTION:	Approved
AYES:	Baltimore, Chinchilla, Fay, Lim, Salinas
ABSENT:	Joe and Theoharis
MOTION:	16402

## G. DISCRETIONARY REVIEW HEARING

At Approximately **4:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

- 17a. 2001.0190D (M. WOODS: 415-558-6315)  
**2548 CALIFORNIA STREET** - north side between Steiner and Pierce Streets, Lot 9 in Assessor's Block 634 - Request for Discretionary Review of Demolition Permit Application No. 2002/0214/9237, which supersedes withdrawn Demolition Permit Application No. 2001/0103/9061, proposing to demolish the existing one-story garage at the rear of the lot, facing Perine Place, in the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District. A Variance to modify rear yard requirements was granted for the rebuilding of the garage and the construction of the new dwelling unit under Case No. 96.319V.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

(Continued from Regular Meeting of March 21, 2002)

SPEAKER(S): Same as those listed in Item 16.

ACTION: Did not take Discretionary Review and Approved the Project.

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas  
 ABSENT: Joe and Theoharis

- 17b. 2001.0191D (M. WOODS: 415-558-6315)  
2548 CALIFORNIA STREET - north side between Steiner and Pierce Streets, Lot 9 in Assessor's Block 634 - Request for Discretionary Review of Building Permit Application No. 2000/0408/6762S proposing to (a) demolish and rebuild the rear portion (approximately two-thirds) of the existing two-story building, containing two dwelling units, at the front of the lot, facing California Street; (b) add a newly excavated ground level; (c) move the existing building forward by approximately 8 feet, and raise the building approximately 2 feet in order to establish a ground floor at grade level; and (d) add a partial fourth floor, in the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed alterations were previously approved by the City Planning Commission under Motion No. 14442 for Case No. 96.319C.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.  
 (Continued from Regular Meeting of March 21, 2002)

SPEAKER(S): Same as those listed in item 16.  
 ACTION: Did not take Discretionary Review and approved the project.  
 AYES: Baltimore, Chinchilla, Fay, Lim, Salinas  
 ABSENT: Joe and Theoharis

18. 2002.0142D (T. TAM: 415- 558-6325)  
14 VENTURA AVENUE - west side, between Linares and Castenada Avenues (Lot 3 in Block 2817) - Discretionary Review request for Building Permit No. 2001/10/26/1774 to allow demolition of an existing 9-foot, one-story rear extension and construction of a 25-foot, two-story rear horizontal extension. The property presently contains a single-family dwelling located in an RH-1(D) (Residential, House, One-Family, (Detached)) District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

**(-) Fran X. Morse**

- He is against this project since he believes it is intrusive and will block sunlight to his entire house.

**(-) Susan Morse**

- She is against this project since it will block the sunlight to her home.  
 - The project will also create a solid wall on one side of the house.

**(-) Dr. Dan Kelley**

- He has spent a lot of time in the back yard of the DR requestor's house and it is quite sunny. This project will block the sunlight to their home.  
 - He read a letter from a neighbor who is also against this project.  
 - He hopes that the Commission will revise the project in order for the DR requestor to receive more sunlight.

**(+) Kuo Tong – Project Sponsor**

- He submitted letters from neighbors who are in support of this project.  
 - The houses surrounding his house are a bit larger and longer.  
 - His family is growing and that is why they want to expand.  
 - The Forrest Hill Homeowners Association is not opposed to this project.

**(+) Charles Ackerley – Project Architect**

- This extension will fit within the character of the neighborhood.  
 - He is matching the design of the house with the design of the surrounding homes.

**(+) Sara Procacci**

- She encourages the Commission to deny the request for Discretionary Review and approve the project as presented since it will enhance the value of the properties.



ACTION: Did not take Discretionary Review and approved the project as submitted  
 AYES: Baltimore, Chinchilla, Fay, Lim, Salinas  
 ABSENT: Joe and Theoharis

19. 2001.0645D (D. JONES: 415-558-6477)  
839 DOLORES STREET - east side between 21<sup>st</sup> and 22<sup>nd</sup> Streets, Lot 076 in Assessor's Block 3618 - Pursuant to Resolution 16078 a Request for Discretionary Review is required for Building Permit Application No. 2001/06/21/2117, for the proposed dwelling unit merger of two existing units into one single-family dwelling located in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and disapprove the merger.

SPEAKER(S):

(+) **Ashley DeVore**

- She is asking the Commission to approve this merger since she had begun the lot merger before the Planning Commission's resolution that would require Discretionary Reviews for mergers.

- She does not believe that she will be able to find a single-family home in San Francisco

(+) **Mark Toma - Architect**

- There are at least six single-family homes on the block

- No one is being displaced.

- The project sponsor would like to have this as a home for her and her family.

(+) **Leslie DeVore**

- She is very close to her daughter and would like the Commission to approve this merger since this would allow her daughter to live there with her family.

(+) **Denis Kerwin**

- He has no objection to the merger.

ACTION: Motion to take Discretionary Review and approve the merger on the condition that the front doors and building façade be retained.

AYES: Baltimore, Fay, Lim

NAYES: Chinchilla and Salinas

ABSENT: Joe and Theoharis

RESULT: The motion failed

ACTION: At the Call of the Chair, the matter was continued to May 23, 2002, to allow the absent commissioners to participate in the final action.

20. 2001.0879D (S. VELLVE: 415- 558-6263)  
425 COLLINGWOOD STREET - east side between 21st and 22nd Streets, Lot 023 in Assessor's Block 2770 - Request for Discretionary Review of Building Permit Application No. 2001/06/18/1777, proposing to reconstruct two sets of stairs providing access from the two upper floors to the rear yard of a single-family home within a RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

SPEAKER(S):

(-) **Larry Paul – Representing the DR Requestor**

- One of the main issues of the DR requestor is that the proposed stair could be used as a separate entrance.

-The DR requestor would like to make sure that the kitchens are removed, the utilities are kept and that the stair in fact is configured in a way so it doesn't give an easy chance for an illegal unit.



- He would like to request that a Notice of Special Restriction be recorded on the property recognizing that it is only a single-family dwelling and not a multiple unit and this should be done before any other permits or approvals are granted by the City.

**(+) Alice Barkley – Representing Project Sponsor**

- She and the project architect have been working on coming up with a solution to legalize the illegal parts of the home. The project sponsor purchased the property after these units were done illegally.

- The DR requestor will be allowed to go into the back yard and trim the trees. This agreement has been stated in writing.

ACTION: Take Discretionary Review and approve the project with an NSR (Notice of Special Restrictions) requirement (as stated above).

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas

ABSENT: Joe, Theoharis

**H. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: **6:07**

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, May 23, 2002**

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Chinchilla



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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 9, 2002

1:30 PM  
Regular Meeting

DOCUMENTS DEPT.

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**PRESENT:** Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis  
**ABSENT:** Joe

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:45 p.m.

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner-Zoning Administrator; Jean Paul Samaha; Paul Maltzer; Jonathan Purvis; Rick Cooper; Michael Lee; Thomas Wang; Dan Sider; Kate McGee; Sara Vellve; Glenn Cabreros; Geoffrey Nelson; Dario Jones; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2001.1099E (A. AGUILAR: 415-558-5973)  
**533 SUTTER STREET** - Assessor's Block 296, Lot 13D - **Appeal of a Preliminary Mitigated Negative Declaration.** The project site is currently developed with a two-story-plus-basement building containing a mix of retail, office, and theater uses. The proposed project would involve the conversion of 4,200 gross square feet (gsf) of existing second-floor offices and theater use to four dwelling units and construction of three additional floors of residential use with four dwelling units on each new floor, for a total of 16 dwelling units. The existing ground-floor retail would remain as is. The proposed project would add three stories, approximately 36 feet in height, for a total building height of approximately 65 feet. The proposed project would add 15,000 gsf of new construction, for a total building floor area of 23,200 gsf. The project site at 533 Sutter Street (Assessor's Block 0296, Lot 13D) is about 6,050 square feet in size and is located mid-block on the southern side of Sutter Street in the Downtown/Civic Center neighborhood on the block bounded by Mason, Sutter, Powell, and Post Streets. The entrance and access to the project site would be from Sutter Street. The existing building

has no parking or loading spaces and none are proposed. The project site is zoned C-3-R (Downtown Retail) District and is within an 80-130-F Height/Bulk District. The existing building, constructed in 1921, is a Category V (unrated) building within the Kearny-Market-Mason-Sutter Conservation District.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration.  
(Proposed for Continuance for May 23, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

2. 2002.0209D (M.SMITH: (415) 558-6322)  
138 28<sup>th</sup> STREET - north side of the street between Dolores and Church Streets, Lot 012A in Assessor's Block 6600, Pursuant to Resolution 16078, a staff initiated request for Discretionary Review of Building Permit Application No. 2001/09/26/9303, proposing to construct a one-story vertical addition and merge four dwelling units into two dwelling units in a two-story over garage, four-unit building located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the merger but allow the vertical addition  
(Proposed for Continuance for May 30, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

3. 2002.0179C (G. NELSON: (415) 558-6257)  
5200 GEARY BOULEVARD - (Geary Mall Parking Garage) - north side between 16<sup>th</sup> and 17<sup>th</sup> Avenues; Lot 045 in Assessor's Block 1448 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of three (3) panel antennas to existing penthouse structures on the upper deck of an approximately forty-foot tall, three level parking garage with ground floor commercial spaces. The project site is within a Moderate Scale Neighborhood Commercial (NC-3) Zoning District and a 40-X Height and Bulk District. Per the City & County of San Francisco's *Wireless Telecommunications Services* (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure within an NC-3 Zoning District. The proposed site would be operated as part of Cingular's wireless telecommunications network.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance for ~~June 13, 2002~~ June 20, 2002)

SPEAKER(S):  
Re: Continuance  
Megan Sullivan

- She would like to have this case continued to June 20, 2002. She is appealing this case to the Board of Supervisors which will be heard on June 17, 2002.

ACTION: Continued as Amended  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

- 4a. 2000.718CEKV (J. MILLER: (415) 558-6344)  
1630 CALIFORNIA STREET AND 1529 POLK STREET (THE "ROYAL THEATRE"), north side of California Street between Polk Street and Van Ness Avenue, with additional frontage on Polk Street, west side between California and Sacramento Streets, Lot 3 in

Assessor's Block 643 -- Request for authorization of Conditional Use for lot size, use size, and bulk exceptions to permit construction of a new, six-story, mixed-use building containing up to 42 dwelling units, up to 9,950 square feet of ground-floor commercial space, and a two-level underground garage containing up to 60 parking spaces, after demolition of the existing "Royal Theatre" building (with the exception of its Polk-Street facade which would be retained and incorporated into the new building), also the subject of a requested Variance of City Planning Code requirements for rear-yard area and dwelling-unit exposure -- in the Polk Street Neighborhood Commercial District and in a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance for May 16, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

- 4b. 2000.718CEKY (J. MILLER: (415) 558-6344)  
**1630 CALIFORNIA STREET AND 1529 POLK STREET (THE "ROYAL THEATRE")**, north side of California Street between Polk Street and Van Ness Avenue, with additional frontage on Polk Street, west side between California and Sacramento Streets, Lot 3 in Assessor's Block 643 -- Request for a Variance of City Planning Code requirements for rear-yard area and dwelling-unit exposure, in conjunction with a proposal to build a new, six-story, mixed-use building containing up to 42 dwelling units, up to 9,950 square feet of ground-floor commercial space, and a two-level underground garage containing up to 60 parking spaces, after demolition of the existing "Royal Theatre" building (with the exception of its Polk-Street facade which would be retained and incorporated into the new building), also the subject of a request for Conditional Use authorization for lot size, use size, and bulk exceptions -- in the Polk Street Neighborhood Commercial District and in a 65-A Height and Bulk District.  
**(Proposed for Continuance for May 16, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
ABSENT: Chinchilla, Joe

## B. COMMISSIONERS' QUESTIONS AND MATTERS

### 5. Commission Matters

**Commissioner Theoharis:** She would like staff to get information on reports stated in an article in the New York Times, March 26, 2002, called "Gentrification Bad Name Good Trend."

**Commissioner Baltimore:** She would like a copy of the article that Commissioner Theoharis mentioned.

## C. DIRECTOR'S REPORT

### 6. Director's Announcements

*Re: Planning Department Computer System*

- The computer system has been working on a very limited basis this week.
- He hopes that everything goes well on May 15 when he goes before the Finance Committee to request the release of \$263,000 that was approved in our budget for this fiscal year for our computer system but held in reserve.



*RE: Community Planning Workshops – Showplace Square Area*

- This past Saturday was the third of a series of presentations for the community planning process.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS – None

BOS – None

**D. PUBLIC COMMENT ON MATTERS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

*RE: 1880 Mission Street*

**Agustin Maxemin – ARMAX International, Inc.**

- He respectfully asks the Commission to reconsider their decision to disapprove this project.
- They are willing to make the revisions that the Commission requests.
- He believes that they have made substantial progress in understanding the community's needs.
- He submitted a letter from Arriba Juntos who is willing to work with the project sponsor regarding jobs.
- They have been working with MEDA to truly understand their needs.

*Re: 1880 Mission Street*

**Donald Lee – Diamond Bridge Partners**

- He would like to ask the Commission to allow a three-week continuance of this project.
- This project will greatly enhance the area.

*Re: 1880 Mission Street*

**Doug MacNeal – North East Mission Business Associates**

Northeast Mission Business Association

- He would like to ask the Commission to request an extension of this project.

*Re: 1880 Mission Street*

**Ira Victor – Co-Chair/Concerned Residents of the Mission District**

- He is a resident of the Mission District.
- His organization is in support of this project.
- More housing and more development are needed.

-

*Re: 1880 Mission Street*

**Chuck Ayala – President, Centro Latino**

He supports the project and supports a request for continuance

*Re: 1880 Mission Street*

**Gloria Bonilla – Centro Latino de San Francisco**

- She is also requesting that the Commission grant a continuance of this project.
- She has seen that RMAX has been working with the community to deal with their issues.

*Re: 1880 Mission Street*

**Toby Levine**

- She is a 35 year resident of the Mission District.
- She would like the Commission to continue this project so that all organizations involved can deal with issues and problems.

*Re: 1880 Mission Street*

**Gloria Diana Ramos – Architect – Habitat for Humanity, San Francisco**

- She would like to have the Commission give this project an opportunity.
- She volunteers for Habitat for Humanity and they are in total support of this project.

*Re: 1880 Mission Street*

**Ken Brogno**

- He is a Mission District resident.
- He does not see why this is displacing anybody.
- This project will make the area much better and hopes that the Commission will grant a continuance so that the developer will be able to speak to the various community groups.

*Re: 1880 Mission Street*

**Gregory Richardson**

- He is also in agreement for a continuance of this project

*Re: 1880 Mission Street*

*Re: 1880 Mission Street*

**Paula Fiscal – Coalition for Responsible Health**

- She would like to have this project approved.
- She submitted a letter from former Supervisor Carol Roos Silver in favor of a continuance.

*Re: 1880 Mission Street*

**Eric Quesada – Mission Anti-Displacement Coalition**

- The Mission is going through a rezoning process.
- He hopes that the Commission holds to the decision they made last week regarding not approving this project.

*Re: 1880 Mission Street*

**Ada Chan**

- This is an important project and it should be held with the same scrutiny as non-profit developers go through.
- This project can be a contribution but there are major design changes that need to be made.

*Re: 1880 Mission Street*

**Chris Selig – Mission Anti-Displacement Coalition**

- She would like the Commission to go along with their original findings.

*Re: 1880 Mission Street*

**Aimee Patton – Mission Agenda**

- People in the Mission need more housing instead of this project.
- ARMAX has not demonstrated in good faith with trying to work with the community.

*Re: 1880 Mission Street*

**Christina Logie – Mission Agenda**

- She feels that this development contains numerous units that people in the Mission do not have access to economically.
- She would like to have the Commission adopt the findings of two weeks ago.
- If the Commission decides on a continuance they are willing to work with the developer to try to remedy some of their concerns and work towards more affordable units, less parking and increased density.

*Re: 1880 Mission Street*

**Sue Hestor – Mission Anti-Displacement Coalition**

- There is nothing of substance that requires this project to be continued for two weeks.

- if ARMAX is really serious about working with the community, it should be continued at least for six weeks.
- It is insulting for the developer to go away from the people who are struggling with the planning process.

*Re: 1880 Mission Street*

**Fred Nuronhow**

- He lives on Colridge Street.
- He believes that the developer does want to work with the community.

*Re: San Francisco Cruise Terminal Mixed-use Project*

**Ernestine Weiss**

- She would like to know whether the Balast Water dumped in the Bay and diesel emissions coming from two huge cruise ship terminals will be addressed and who will be the watchdogs.
- There hasn't been a design chosen for the Brannan Street wharf.

*Re: San Francisco Cruise Terminal Mixed-Use Project*

**Terry Shore – Campaign Director for Blue Water Network**

- If this proposed cruise terminal EIR is certified, residents of the Bay will breath more polluted air.
- There are a lot of inaccurate assumptions in this report.
- Perhaps the consultants who produced this report are not well versed in shipping industry laws, technologies and issues.

#### **E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED**

- 8a. 2000.1164ECD (J. PURVIS: 415-558-6354)  
1880 MISSION STREET - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Request for Conditional Use authorization under Planning Code Sections 215, 271 and 304, and Board of Supervisors Resolution No. 518-01 (Mission District Interim Controls) for a Planned Unit Development (PUD) exceeding bulk limits, and to allow construction of up to 183 dwelling units, 26,000 square feet of commercial space and up to 176 independently accessible off-street parking spaces. Exceptions are requested from rear yard, dwelling unit exposure and parking requirements of the Planning Code and to provide less than 25% of the dwelling units as affordable. The site is within a C-M (Heavy Commercial) Zoning District, a 50-X and 65-B Height and Bulk District and is subject to the Mission District Interim Controls.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Hearing of April 25, 2002)  
**Note:** On April 25, 2002, following testimony, the Commission closed public hearing and entertained a motion of intent to disapprove by a vote of +4 -2. Commissioners Fay and Chinchilla voted No. Commissioner Joe was absent. The matter was continued to 5/9/02 to allow the absent Commissioners to participate in the final action.

SPEAKER(S): None  
 ACTION: Project disapproved  
 AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
 ABSENT: Chinchilla, Joe  
 MOTION: 16403

- 8b. 2000.1164ECD (J. PURVIS: 415-558-6354)  
1880 MISSION STREET - west side between 14th and 15th Streets; Lots 2A, 3, 4, and 29 in Assessor's Block 3547 - Mandatory Discretionary Review of a proposal to demolish two light industrial buildings and construct a mixed-use Planned Unit Development. Mission District Interim Controls (Board of Supervisor's Resolution No. 518-01) require

Discretionary Review for all land use changes in the subject area. The property is within a C-M (Heavy Commercial) Zoning District, and a 50-X and a 65-B Height and Bulk District. Preliminary Recommendation: Do not take D.R. and approve the project as proposed. (Continued from Regular Meeting of April 25, 2002)

**Note: On April 25, 2002, following testimony, the Commission closed public hearing and entertained a motion of intent to take Discretionary Review and disapprove by a vote of +4 -2. Commissioners Fay and Chinchilla voted No. Commissioner Joe was absent. The matter was continued to 5/9/02 to allow the absent Commissioners to participate in the final action.**

SPEAKER(S): None  
 ACTION: Took Discretionary Review and Disapproved the Project  
 AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
 ABSENT: Chinchilla, Joe

## F. REGULAR CALENDAR

9. 2000.1293E (R. COOPER: (415) 558-5974)  
SAN FRANCISCO CRUISE TERMINAL MIXED-USE PROJECT AND BRANNAN STREET WHARF PROJECT - CERTIFICATION OF THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR). The proposed project would involve two components: 1) the construction of two berths (including necessary dredging) and a new terminal for cruise ships that call at the Port of San Francisco, as well as ancillary commercial development, all on Pier 30-32 (Block 9900, Lots 30 and 32); and 2) the construction of a residential project on Seawall Lot 330 (Block 3770, Lots 1 and 2, Block 3771, Lot 1), across the Embarcadero from Pier 30-32. The cruise terminal would contain about 100,000 gross square feet (gsf) of floor area, while the commercial element would include about 370,000 gsf of office space and about 220,000 gsf of retail/entertainment space. About 450 parking spaces would be provided on the pier. The residential component, on the block bounded by the Embarcadero and Beale and Bryant Streets, would include about 350 dwelling units and 350 parking spaces. The SEIR also analyzes a separate but related project involving the design and construction of the Brannan Street Wharf (Block 9900), Lots 34 and 36), a new, approximately 57,000-square-foot waterfront park along the Embarcadero just south of Pier 30-32.. **Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on January 16, 2002. The Planning Commission does not conduct public review of Final EIRs. However, public comments on the certification may be presented to the Planning Commission.**  
 Preliminary Recommendation: Certify SEIR

SPEAKER(S):  
 (-) **Teri Shore – Blue Water Network**  
 - Matters have not been completely addressed.  
 - Her organization does not support certification of this project (EIR).  
 (-) **Ernestine Weiss**  
 - She also believes that matters have not been properly addressed.  
 - She does not support certification of this EIR.  
 (+) **Jeffrey Leibovitz – RP-SB CAC**  
 - The Draft EIR is well done and a lot of the points were well thought out.

ACTION: EIR Certified  
 AYES: Baltimore, Chinchilla, Fay, Salinas, Theoharis  
 NAYES: Lim  
 ABSENT: Joe  
 MOTION: 16404



10. 2001.0197C M. LI: (415) 558-6396  
951-957 MISSION STREET - south side between 6<sup>th</sup> and Mary Streets; Lot 088 in Assessor's Block 3725 - Request for Conditional Use Authorization to establish office uses which will not provide on-site services to the general public, at the ground floor level and below, within a C-3-S (Downtown Support) District and a 160-F Height and Bulk District. The proposal is to allow office uses in all 13 suites in the basement and in four suites on the ground floor of the Mint Mall. The project sponsor is also requesting the legalization of one office use in the basement and two office uses on the ground floor that did not receive the required change of use permits. There will be no physical expansion of the existing building.  
 Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**(+) David Silverman – Reuben and Alter – Representing Project Sponsor**

- The zoning of this area supports office use.
- This neighborhood has been in decline for a number of years and this project will be something positive to the area.
- The project sponsor has reached an agreement with various community organizations.

**(+) Dan Fujioka – Asian Law Causus**

- They were able to work with the owners of this project to reach agreement on a share-living arrangement with living and business spaces.

**(+) Jenny Batallones – South of Market**

- She is here to encourage the approval of this conditional use.
- She had letters from her organization and other organizations that support this project.

**(+) Maria Romero**

- She owns a bookstore in the area and is in agreement that this project be approved.

**(+) Bill Zorro – Manila Town Heritage Association**

- They are supporting the conditional use.

**(+) Luz de Leon – Presenters of the Annual Filipino Festival**

- She supports the approval of this project since it will enhance the presence of the Philippine Community.

-

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis

ABSENT: Joe

MOTION: 16405

- 11a. 2002.0013EQV (T. WANG: (415) 558-6335)  
5199 MISSION STREET - southeast side between Pope and Rolph Streets; Lot 057 and 058 in Assessor's Block 6463 - Request for Conditional Use authorization under Planning Code Sections 121.1 and 712.11 for the development of thirty six affordable senior units and one resident manager's unit on two lots exceeding 10,000 square feet in area in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The project would also require a rear yard modification to be reviewed by the Zoning Administrator.  
 Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**(+) Gonzalo Castro – Project Architect**

- Described the project and its architectural aspects.

**(+) Joseph Smooke – Bernal Heights Neighborhood Center**

- There are various community organizations and City funded organizations that are in support of this project.
- There will be an on-site community liaison at the development.
- The location of this project is the perfect location for senior housing since there are a lot of amenities located within walking distance.



**(+) Phillip Dochow – Mission Housing Development Corporation**

- There has been a lot of community outreach for this project.
- They got input from these meetings and decided on this site plan.
- They felt that it was in the best interest of the seniors who would be living in this development to be well received into the community.

**(+) Mel Beetle – Canon Kip Support Group and SAN**

- There are more homeless seniors than anyone can imagine.
- This project should be approved.

**(+) David Hooper - New Mission Terrace Improvement Association**

- The association supports this project.
- This is a superior project for affordable housing specifically for seniors.

**(+) Sharon Sharon M. Eberhardt – Cayuga Improvement Association**

- The association is in full support of this project.
- This project is the result of many hours of community input.
- San Francisco Senior Citizens are in great need of affordable housing.
- This project meets all of the needs and more.

**(+) Rebecca Silverberg – Excelsior Improvement Association**

- There is much need for housing for seniors.
- This project is greatly needed.

**(+) Alicia Esquivias – Corpus Christie**

- Many seniors are living in unlivable conditions.
- This project will support seniors

**(+) Igmedio R. Casuga**

- He supports this project.

**(+) Anacleto B. Doroliat – Corpus Christie**

- She supports this project.

**(+) Karen Rosen – San Francisco Office on Aging**

- The number one need for seniors is affordable housing.
- She hopes that this project will be approved.
- The project will be an improvement to the neighborhood.
- The San Francisco Office on Aging will be occupying office space in this project.

**(+/-) Dorothy Ann Jones**

- She lives on Rolf Street.
- She is not against the project.
- She is concerned about parking.
- She has requested that the Police Department limit the amount of traffic going through Rolf Street.

**(+) Daryl Higashi – Director of the Mayor's Office of Housing (MOH)**

- MOH is endorsing this project as well as HUD.
- This is a very well thought through project.

**(+) Anthony Sacco – Past President of the New Mission Terrace Improvement Association**

- He is in support of this project.
- The site has been empty for many years.

**(+) Steven R. Currier – Outer Mission Residents Association**

- The project sponsor and the architect have done a great job to communicate with the community.
- This project is 5 years in the making and he hopes that the Commission will approve it.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Salinas  
 ABSENT: Lim, Joe, Theoharis  
 MOTION: 16406

- 11b. 2002.0013ECV (T.WANG: (415) 558-6335)  
5199 MISSION STREET - southeast side between Pope and Rolph Streets; Lot 057 and 058 in Assessor's Block 6463 - Rear Yard Modification Sought -- Planning Code Section 134(a)(1)(C) requires the proposed affordable senior housing to provide a 25-foot rear yard (25 percent of the depth of the subject lot) in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed project would provide a comparable amount of usable open space within the development but would not meet the strict rear yard requirements. Planning Code Section 134(e) allows for modification of the rear yard requirements in certain districts subject to a hearing held by the Zoning Administrator.

SPEAKER(S): None

ACTION: ZA closed the Public the public hearing and granted the variance

- 12a. 2002.0189CD (D. SIDER: (415) 558-6697)  
843 SOUTH VAN NESS AVENUE - east side between 19th and 20th Streets; Lot 022 in Assessor's Block 3594 - Request for Conditional Use Authorization to allow [1] the addition of 5 new dwelling units pursuant to Planning Code Section 209.1(h) and [2] the creation of housing in the Mission District which does not provide 25% of the total number of units as affordable units pursuant to Board of Supervisor's Resolution No. 518-01 (Mission District Interim Controls). The proposal is to construct a lateral and rear addition to an existing 3-unit residential building, resulting in a total of 8 units, in an RH-3 (Residential, House, Three-Family) District and a 50-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

**(+) John Sanger – Sanger and Olson**

- This lot is sufficiently large to meet the number of units.
- The project sponsor will retain the façade.
- There are 13 letters of support for this project.
- He has met with one of the people who are against this project and has been able to meet his concerns.
- There is no displacement.
- He hopes that the Commission will approve this project.

**(+) Joe O'Donoghue – Residential Builders**

- There will be no evictions.
- This is a great project.

**(+) (speaker did not state name)**

- He lives next door to the lot.
- This is a great project and will help the community.

**(+) Emily Revelo**

- She lives on South Van Ness.
- She has been a Mission District resident for 25 years.
- As long as the developer takes into account her property lines and her garden she is willing to work with the developer.

**(+) Bill Barnes – Representative of Supervisor Daly**

- Supervisor Daly supports this project.
- Developers are working with neighbors and Supervisor Daly is pleased about that.

**(+) Ira Victor - Co-Chair/Concerned Residents of the Mission District**

- There is much need for housing in the Mission.
- It is important to bring more housing and more job opportunities to the Mission.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Lim, Salinas,

ABSENT: Theoharis, Joe

MOTION: 16407

- 12b. 2002.0189CD (D. SIDER: (415) 558-6697)  
843 SOUTH VAN NESS AVENUE - east side between 19th and 20th Streets; Lot 022 in Assessor's Block 3594 - Mandatory Discretionary Review of a proposal to change the use of the subject structure from a 3-unit dwelling to an 8-unit dwelling. Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any change of use within the Mission District. The property is within an RH-3 (Residential, House, Three-Family) District and a 50-X Height and Bulk District. Preliminary Recommendation: Do not take D.R. and approve the project with conditions.

SPEAKER(S): Same as those listed in item 12a.  
 ACTION: Did not take Discretionary Review and Approved the Project.  
 AYES: Baltimore, Chinchilla, Fay, Lim, Salinas  
 ABSENT: Theoharis, Joe

**Items 13a & b, and 14a & b were called and heard together**

- 13a. 2002.0321CD (K. McGEE: (415) 558-6367)  
3003/3005 - 23<sup>rd</sup> STREET, south side, at the corner of 23<sup>rd</sup> and Harrison Streets; Lot 1 in Assessor's Block 3640 - Request for Conditional Use Authorization to construct two dwelling units in the Mission District. Market-rate dwelling units, that do not provide 25% affordability, are subject to Conditional Use Authorization per the Mission District Interim Controls, Resolution No. 518-01. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District. The proposal is to construct two dwelling units of approximately 2,800 square feet each in the Mission District. The proposed building height would be 40 feet.  
 Preliminary Recommendation: Approve with conditions.

SPEAKER(S):

**(+) Wayne Hu – Real Estate Project Manager and Consultant to the Project Sponsor**

- There is a need for more than 20,000 housing units in the City of San Francisco.
- These projects will provide much needed housing units which will be rented.
- He went out to the neighbors and received support from 63 residents.
- They met with the neighbors and there were concerns about the size of the building and what sunlight this project might block.
- In each building there are 4 parking spaces.
- This project is desirable and necessary and has met the requirements for the conditional use.

**(-) Jessica Medina**

- She and her grandmother live on 23<sup>rd</sup> and Harrison.
- She is opposed to this project since her family purchased the house because of the view.
- The project will block sunlight from her house and her grandmother has respiratory problems.
- There will be more noise and more problems.

**(-) Franz Fuetsch**

- He is not against development of this parcel. He is just against the height of the project and the aesthetics of the project.
- His issues could be addressed by lowering the project.
- There is nothing in this area that is higher than 40 feet.

**(-) Amy Fishman**

- She lives in the Mission District and works for Mission Housing.
- There hasn't been enough community process for this development.
- Community development needs to be done and not spot-by-spot development.
- Mission Housing has a garden in the area and they were not reached to discuss this project.

**(-) Sue Hestor**

- This project is very disruptive to this community.
- The live/work style is not in character with the surrounding community.

**(+) Alice Barkley – Representing the project sponsor**

- The concerned residents who live next door will not have their window blocked.
- This is a residential development that is allowed in this area and it is a vacant lot so there is no displacement.

**(+) Joe O'Donaghue – Residential Builders**

- 40 to 50 feet in height is not a high-rise.
- The design of this building will be compatible with the other buildings.

**(+) Milton Gaines**

- He is one of the co-owners of Winfield Design International. Since 1964 they have been in the same location. He has been with the company for 33 years.
- They sold their business last year.
- He spoke to about 80 people in the neighborhood and showed the proposed plans. He received support from most of them.

**ACTION:** Approve with the following modifications: 1) sponsor continue to work with the department specifically to try to integrate the design better into the neighborhood; 2) reduce the impact and bulkiness of the building; 3) eliminate the stair tower; 4) assign a notice of special restrictions in order to limit the units to only two; 5) require that the new design come back before the Commission.

**AYES:** Baltimore, Lim, Salinas

**NAYES:** Fay, Chinchilla

**ABSENT:** Joe, Theoharis

**RESULT:** The motion failed to carry.

**ACTION:** Continued to May 23, 2002 at the call of the Chair to allow the absent commissioners to participate in the final action.

- 13b. 2002.0321CD (K. McGEE: (415) 558-6367)  
 3003/3005 - 23<sup>rd</sup> STREET, south side, at the corner of 23<sup>rd</sup> and Harrison Streets; Lot 1 in Assessor's Block 3640 – Resolution No. 518-01 requires mandatory Discretionary Review for a change of use per the Mission District Interim Controls. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**SPEAKER(S):** Same as those listed in item 13a.

**ACTION:** Take Discretionary Review and approve the project with the following modifications: 1) sponsor continue to work with the department specifically to try to integrate the design better into the neighborhood; 2) reduce the impact and bulkiness of the building; 3) eliminate the stair tower; 4) assign a notice of special restrictions in order to limit the units to only two; 5) require that the new design come back before the Commission.

**AYES:** Baltimore, Lim, Salinas

**NAYES:** Fay, Chinchilla

**ABSENT:** Joe, Theoharis

**RESULT:** The motion failed to carry.

**ACTION:** Continued to May 23, 2002 at the call of the Chair to allow the absent commissioners to participate in the final action.



- 14a. 2002.0323CD (K. McGEE: (415) 558-6367)  
3007/3009 - 23<sup>rd</sup> STREET, south side, between Harrison Street and Treat Avenue; Lot 1 in Assessor's Block 3640 – Request for Conditional Use Authorization to construct two dwelling units in the Mission District. Market-rate dwelling units, that do not provide 25% affordability, are subject to Conditional Use Authorization per the Mission District Interim Controls, Resolution No. 518-01. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District. The proposed building height would be 40 feet.  
 Preliminary Recommendation: Approve with conditions.
- ACTION: Approve with the following modifications: 1) sponsor continue to work with the department specifically to try to integrate the design better into the neighborhood; 2) reduce the impact and bulkiness of the building; 3) eliminate the stair tower; 4) assign a notice of special restrictions in order to limit the units to only two; 5) require that the new design come back before the Commission.
- AYES: Baltimore, Lim, Salinas  
 NAYES: Fay, Chinchilla  
 ABSENT: Joe, Theoharis  
 RESULT: The motion failed to carry.
- ACTION: Continued to May 23, 2002 at the call of the Chair to allow the absent commissioners to participate in the final action.
- 14b. 2002.0323CD (K. McGEE: (415) 558-6367)  
3007/3009 - 23<sup>rd</sup> STREET, south side, between Harrison Street and Treat Avenue; Lot 1 in Assessor's Block 3640 – Resolution No. 518-01 requires mandatory Discretionary Review for a change of use per the Mission District Interim Controls. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
- SPEAKER(S): Same as those listed in item 13a.
- ACTION: Do not take Discretionary Review and approve the project with the following modifications: 1) sponsor continue to work with the department specifically to try to integrate the design better into the neighborhood; 2) reduce the impact and bulkiness of the building; 3) eliminate the stair tower; 4) assign a notice of special restrictions in order to limit the units to only two; 5) require that the new design come back before the Commission.
- AYES: Baltimore, Lim, Salinas  
 NAYES: Fay, Chinchilla  
 ABSENT: Joe, Theoharis  
 RESULT: The motion failed to carry.
- ACTION: Continued to May 23, 2002 at the call of the Chair to allow the absent commissioners to participate in the final action.

## G. DISCRETIONARY REVIEW HEARING

At Approximately **6:10 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2002.0200D (S.VELLVE: (415) 558-6263)  
340 CASTENADA - north side of Castenada Avenue, between San Marcos and Montalvo Avenues, Lot 004 in Assessor's Block 2882 - Request for Discretionary Review of Building Permit Application No. 2001/12/28/6046, proposing to construct a two-story, rear



horizontal addition to the existing single-family dwelling within a RH-1(D) (House, One-Family (Detached Dwelling)) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approved the building permit application as revised.

SPEAKER(S): None

The discretionary review request was withdrawn

16. 2001.0894DD (CABREROS: 558-6169)  
22-24 ANNAPOLIS TERRACE -- east side between Turk Street and Golden Gate Avenue, Lot 015 in Assessor's Block 1163 -- Requests for Discretionary Review of Building Permit Application No. 2001/0626/2362 proposing an approximately 28-foot long by 25-foot wide horizontal addition at the rear of the existing third story and a new 47 foot long by 25-foot wide fourth floor within the existing footprint of a two-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve with modifications  
(Continued from Regular Meeting of March 7, 2002)

SPEAKER(S):

**(-) John Tom – DR Requestor**

- He lives on Turk Street.
- His concerns are about the height of the building since it will affect the light and air coming to his house.
- He would like to have the Commission not approve the 4<sup>th</sup> floor.

**(-) Irvin Johnson – DR Requestor**

- He lives on Turk Street
- His concerns relate to the light and air that will be diminished from the height of the building.
- This project is not right for the neighborhood.

**(-) Grace Wang**

- She lives on Turk Street.
- She has the same concerns as her neighbors.

**(-) Martin MacIntyre**

- He lives on University Terrace.
- If there are large homes in the neighborhood, they are on the corners where they don't block the light and air of their neighbors.
- The height of the proposed project will set a precedent in the neighborhood for other homes and eventually there will be no neighborhood (as it is now).

**(+) Vlad Chernotyz**

- He has lived in the neighborhood for 15 years.
- He would like to have the project approved.
- The 4<sup>th</sup> floor will not be visible from the street. The property was designed 40 or 50 years ago and presently there are needs for larger homes.

**(-) David Thom**

- He lives on Annapolis.
- The proposed project will be the highest building on the block.

**(-) Barbara Kiley**

- She has lived on Annapolis Terrace since 1975.
- She requests that the 4<sup>th</sup> story be denied.

**(+) Joel Yodowitz – Representing Project Sponsor**

- The intension of the design of the proposed house is to minimize the impact on the adjacent neighbors.
- There will not be a great impact on light and air to the properties to the north.
- There are other 4-story buildings in the neighborhood.

**(-) Mr. and Mrs. Verkholaz – Project Sponsors**

- He just got married last week and his wife is expecting a baby.
- He is not a developer and plans to live in this house for many years.
- They would just like to enjoy this house.

**ACTION:** Took discretionary review and approved the project as modified by staff:  
 1) Removal of the fourth floor; 2) Any property line transparent walls/windows (as permitted by the Department of Building Inspection) shall be non-operable and of a translucent material to afford maximum privacy to neighbors; 3) All side property line walls shall be painted a light (non-metallic) color to maximize reflected lights to adjacent homes.

**AYES:** Baltimore, Chinchilla, Fay, Lim, Salinas

**ABSENT:** Joe, Theoharis

17. 2002.0198D (G. NELSON: (415) 558-6257)  
2337-2339 GREEN STREET - south side between Pierce and Steiner Streets, Lots 040 and 041 in Assessor's Block 0559; Pursuant to Resolution 16078, a staff-initiated request for Discretionary Review of Building Permit Application No. 2001/1213/5189, proposing to merge two dwellings units into one dwelling unit, in a four-story structure located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
- Preliminary Recommendation: Take Discretionary Review and Disapprove the Permit

**SPEAKER(S):**

**(+) Ellen Weissel – Project Sponsor**

- She explained how the various permits taken out came about and how they were not aware of the merger laws in San Francisco. Their architect who had taken out these permits was not aware of this either.
- She requests that the Commission approve the merger and that their circumstances be understood.

**(+) Ken Vincent – Project Architect**

- The purpose of the various permits was to allow the Weisel's to live in one unit while the other unit was being worked on.
- He doesn't do much work in San Francisco, most of the work he does is in Marin County.

**ACTION:** Took discretionary review and approved the merger with modifications: charge the sponsors time and materials for staff to review and make sure that no more permits are taken out; and that there is a final permit.

**AYES:** Baltimore, Chinchilla, Fay, Lim

**NAYES:** Salinas

**ABSENT:** Theoharis, Joe

18. 2002.0402D (D JONES: (415) 558-6477)  
320 WAWONA STREET - north side between 14th and 15th Avenues, Lot 028 in Assessor's Block 2482 - Request for Discretionary Review of Building Permit Application No. 2001/08/03/5196R/1, proposing to complete interior work to the basement of the existing single-family dwelling within a RH-1(D) (House, Single-Family Detached) District and a 40-X Height and Bulk District.
- Preliminary Recommendation: Do not take Discretionary Review and approve the revised building permit application.

**SPEAKER(S):**

*Re: Continuance*

**Marilyn Amini**

- She received the summary analysis and the project sponsor's statement and there are a lot of misrepresentation of facts that she would like to look at more closely and this is why she is asking for a continuance.

**Bridget Wiley**

- She does not support the continuance.

**(-) Marilyn Amini – DR Requestor**

- The subject property has a three-story extension in the rear that has never been properly permitted.

- She is concerned that there is outstanding electrical and plumbing work that has never been finished and that the project is a mega structure for the block.

- She believes that the project sponsor will be using the home for a day care center.

**(+) Bethany Chaney – Project Sponsor**

- She is trying to comply with the Planning Department and the Building Department on the one outstanding electrical issue.

- The three-story addition was legalized with permitted work.

- They are trying to make the basement a legal living space. They are not changing anything.

- They have a large child care facility in San Mateo. Yes, they will be opening more child care centers. They will provide mild services and emergency backup--a much needed service within the community.

**ACTION:** Did not take discretionary review and approved the project.

**AYES:** Baltimore, Chinchilla, Fay, Lim, Salinas

**ABSENT:** Joe. Theoharis

## **H. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: 7:10 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, May 30, 2002.**

**ACTION:** Approved

**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Baltimore

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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 16, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

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**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas  
**ABSENT:** Theoharis

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:45 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner-Zoning Administrator; Dan Sider; Jim Miller; Rick Crawford; Geoffrey Nelson; Glenn Cabreros; Victoria Ryan; Petterson Vollman; Dario Jones; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a Conditional Use authorization pursuant to Sections 803.5(c) and 816.48 of the Planning Code to convert 9,885 square feet at 1475 Folsom from office of design professionals and retail to general office use and to convert 10,361 square feet at 1479 Folsom from office and warehouse to general office; both lots are within a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex, Landmark #199, is also located within the Industrial Protection Zone (Planning Commission Resolution No. 16202), which discourages office conversions. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
Preliminary Recommendation: Pending  
(Proposed for Continuance to May 23, 2002)  
SPEAKER(S): None  
ACTION: Continued as proposed.  
AYES: Baltimore, Fay, Joe, Lim, Salinas  
ABSENT: Chinchilla, Theoharis



- 1b. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a parking variance for 5 required parking spaces at 1475 Folsom and 7 required spaces at 1479 Folsom—these parking requirements are based on pre-existing parking credits. The proposal does not provide any parking spaces for this project. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex, Landmark #199, is also located within the Industrial Protection Zone, per Resolution No. 16202. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
**(Proposed for Continuance to May 23, 2002)**

SPEAKER(S): None  
 ACTION: Continued as proposed.  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 ABSENT: Chinchilla, Theoharis

- 1c. 2001.0494CDV (W. HASTIE: (415) 558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10TH and 11TH Streets. Assessor's Block 3520, Lots 30B & 30C – Mandatory Discretionary Review for conversion of existing uses (office of design professionals and retail / office and warehouse) to general office use within the Industrial Protection Zone, per Resolution No. 16202. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex is Landmark #199. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
 Preliminary Recommendation: pending  
**(Proposed for Continuance to May 23, 2002)**

SPEAKER(S): None  
 ACTION: Continued as proposed.  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 ABSENT: Chinchilla, Theoharis

2. 2000.790EKXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (aka 155 FIFTH STREET) - northeast corner of 5th Street, Lot 66 in Assessor's Block 3724 -- (1) Request for Determinations of Compliance under Planning Code Section 309 (Downtown Project) and (2) Request for Exceptions, including an exception to the Reduction of Ground Level Wind Currents requirement (Section 148); (3) Request for Conditional Use authorization for a hotel, Planning Code Sections 303 and 216(b) and (4) Amendments to the Planning Code and Zoning Maps to change the height, bulk and Floor Area Ratio (FAR) of the project site, Planning Code Section 302(c) . The proposal would change the height and bulk zoning of the project site from 160-F to 320-M, and would change the maximum FAR from 5:1 to 7.5:1 without the purchase of Transferable Development Rights (TDR). (The current zoning allows a maximum FAR of 7.5:1, but only with the purchase of TDR). The Project would also require amendments to the Urban Design and Land Use Elements of the General Plan and the Downtown Area Plan to be consistent with the proposed changes related to height, bulk and FAR.  
 Preliminary Recommendations: Pending  
**Note: The project currently proposes to rezone to a 320-S height and bulk district, instead of a 320-M district as originally requested.**  
**(Continued from Regular Hearing of April 25, 2002)**  
**(Proposed for Continuance to May 23, 2002)**



SPEAKER(S): None  
 ACTION: Continued as proposed.  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 ABSENT: Chinchilla, Theoharis

3. 2000.1170D (M. SNYDER: 415-575-6891)  
**2637 24<sup>th</sup> STREET** - south side between Potrero Avenue and Utah Street, Lot 25 in Assessor's Block 4264 - Request for Discretionary Review of Building Permit Application No. 2000/03/07/3664 proposing to construct a new building that would contain six new dwelling units, six parking spaces, and a small commercial unit, on a lot that currently contains a single-story commercial building. The property is within the 24th Street - Mission Neighborhood Commercial District, and a 65-A Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.  
 (Continued from Regular Meeting of April 25, 2002)  
**(Proposed for Continuance to June 20, 2002)**

SPEAKER(S): None  
 ACTION: Continued as proposed.  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 ABSENT: Chinchilla, Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes of April 11, 18, 2002.

SPEAKER(S): None  
 ACTION: Approved with typographical corrections.  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 ABSENT: Chinchilla, Theoharis

5. Commission Matters  
**Commissioner Salinas:** During the week, he received two calls regarding a case before the Commission last week. His comments last week were not directed to the family who had their lives turned around especially when there is construction going on. His comments were directed towards the professionals who had been hired and who had been given the trust by this family to look out for their interest. His message is to please be careful when one hires professionals and look for references. He does not want the professionals thinking that this Commission is a fail-safe mechanism.

#### C. DIRECTOR'S REPORT

6. Director's Announcements  
**None**
7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS – Budget Committee**  
*Re: Release of \$263,000--money that was on reserve mainly intended for capital improvement for the Department's computer system.*  
 - It was a difficult hearing. Director Green admirable represented the department and the needs.  
 - The money was released pending a quick review by the Department of Telecommunications and Information Services.  
 - He believes that the period would be between three or four weeks until we are up and running.

**BOA –**

Re: 315 and 319 Edgehill Way

- The Commission took Discretionary Review and disapproved the project based on the following items: 1) because the project was on a very steep hill, the Commission was concerned about the soil stability; 2) character of the neighborhood; 3) scale of the house; 4) the driveway was 10 feet wide so it is very narrow.
- There was controversy on the permit streamlining act.
- The Board upheld the Commission +4-1 to allow construction. The size of the houses was reduced; there was an open space easement, and there were street improvements prior to the start of construction. The Board supported the Commissions decision to take Discretionary Review.

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: None

**E. REGULAR CALENDAR**

8. 2000.1061ECK (D. SIDER: 415-558-6697)  
400 PAUL AVENUE - north side, between 3<sup>rd</sup> Street and Bayshore Boulevard; Lot 014 in Assessor's Block 5431A - Request for Conditional Use Authorization to allow the construction of an internet services exchange facility pursuant to Board of Supervisors Resolution No. 405-01 (Interim Zoning Controls for Internet Services Exchanges) in an M-1 (Light Industrial) Zoning District, an Industrial Protection Zone, and a 65-J Height and Bulk District. The project involves the demolition of an existing 89,000 square foot industrial building and the construction of a new 330,000 square foot Internet Services Exchange.  
 Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):****(+) Steve Kundich – Architect, Director of Design Construction of San Francisco Wave Exchange**

- They are currently located at 200 Paul Avenue.
- They are looking to expand their business.
- There are a number of fiber optic wires that run from the Peninsula, which makes this location ideal for his business.
- Over the years they have worked with various community organizations as well as members of the Board of Supervisors.
- Various committees of the Bay View PAC support this project.
- They have had many open houses for the neighbors but not many people attended.
- They are working with organizations in order to provide scholarships.
- He hopes that the Commission approves this project.

**(+) Lynn Sedway – President of Sedway Group**

- They analyzed the site for the project sponsor.
- This is an ideal location for this company.
- There are limited vacancies in San Francisco.
- There is definitely a demand for this use.

**(+) Joe Boss**

- The project sponsor has made an effort to work with the community.
- He believes that the Commission should approve this project.

**(+) Sabrina Hernandez – International Brotherhood of Electrical Workers, Local 6**

- They offer apprenticeships.
- This project will provide many jobs for electrical workers.
- This project provides many benefits for people who live and work in San Francisco.

**(+) Elizabeth Echols – CEO, OpNet Community Ventures, Inc.**

- Her company provides assistance for young adults to obtain jobs in the technology industry.
- In order to provide this assistance they need to have support from the community.
- The project sponsor has provided donations to her company to continue this assistance.
- Two of her graduates have found jobs at Wave Exchange.
- She urges the Commission to support this project.

**(+) Ellouse Patton – Young Community Developers**

- This project will provide a more viable community economically.
- Wave Exchange has shown that they are willing to work with the local community.
- Wave Exchange has donated training space to Young Community Developers.

**(-) Jack Woo – Paul Avenue Neighborhood**

- He submitted signatures of people who are against this project.
- The supply of affordable housing should be preserved.
- This project will not be compatible with the neighborhood.

**(-) Eloy Martinez**

- The telecommunications business is going out of business.
- He lives across the street and is afraid that someone might throw a bomb at the location.
- He does not believe that this company will provide jobs since there are so many companies that have gone bankrupt.
- He does not believe that this project should be approved. Instead, they should fill out the building that they are currently in.

**ACTION:** Approved with Modifications: change motion language from "...the following are voluntary conditions agreed to by the project sponsor" to new language: "...the following conditions were voluntarily proposed by the project sponsor: "

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

**ABSENT:** Theoharis

**MOTION:** 16408

- 9a. 2000.718CEKV (J. MILLER: 415-558-6344)  
1630 CALIFORNIA STREET AND 1529 POLK STREET (The "ROYAL THEATRE"), north side of California Street between Polk Street and Van Ness Avenue, with additional frontage on Polk Street, west side between California and Sacramento Streets, Lot 3 in Assessor's Block 643 -- Request for authorization of Conditional Use for lot size, use size, and bulk exceptions to permit construction of a new, six-story, mixed-use building containing up to 42 dwelling units, up to 9,950 square feet of ground-floor commercial space, and a two-level underground garage containing up to 60 parking spaces, after demolition of the existing "Royal Theatre" building (with the exception of its Polk-Street facade which would be retained and incorporated into the new building), also the subject of a requested Variance of City Planning Code requirements for rear-yard area and dwelling-unit exposure -- in the Polk Street Neighborhood Commercial District and in a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of May 9, 2002)

**SPEAKER(S):**

**(+) Lou Blajez**

- This project will provide much needed housing.

- He displayed diagrams of the design of the building.

**(-/+) Matthew Brannan**

- He has various issues and questions that he still needs clarification on.

**(+) Ted D. Nasser – President of Consolidated Theatres**

- He was the owner of the Royal Theatre.

- He has tried on various occasions to reach developers to invest in the theatre—those that would also retain the theatre.
- He finally had to sell the property.

**(+) Joe Cassidy**

- He is in support of this project.
- He has a few questions he would like clarification on.

**(+) Jim Reuben – Reuben and Alter**

- He urges the Commission to approve this project.
- Preservation construction is more expensive than building from the ground up.

**(+) Peter Hattieris**

- He lives on Russian Hill.
- This area is in danger of a substantial decline.
- He does not know much about this project but any type of improvement will help out this area.

**(+) Joe O'Donoghue**

- Theatre preservation has become the new "buzz" word.
- There is a lot of confusion in the legislation of theatre preservation.
- This project sponsor will be required to pay utilities to the tenants that he is subsidizing.

**(+) TJ Leighton**

- He urges the Commission to support this project.
- There is a demand for affordable housing.

**(-) Francisco Centurion – Russian Hill Neighbors**

- He is an architect and member of the Russian Hill Neighborhood Association
- The variance process should not be used to make exceptions to the Planning Code.
- This project abuses the conditional use and variance provisions.
- Please don't open the door to produce substandard housing.
- The building does not fit in with the neighborhood character.

**(-) Penelope Clark**

- She believes that one of the reasons the property owner had a hard time finding tenants was because there is no parking and the area has a lot of parking problems.
- Housing needs to be provided but it should be respectable house.

**(-) Claire McGhee**

- She is a resident of Russian Hill.
- The property owner has worked very hard to keep theatres in the area. Yet it has not turned out to be a winning situation.
- There are many neighbors who are not supporting any mega stores.
- Conditional uses (limitations) should be placed on how commercial space should be used.
- This project is not ready to be decided upon by this Commission.

**ACTION:** Approved with conditions as modified: distribution should be 1 studio unit, three 1-bedroom units, and one 2-bedroom unit; or provide housing units off-site; or provide other housing as permitted by Planning Code Section 315.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

**ABSENT:** Theoharis

**MOTION:** 16409

- 9b. 2000.718CEKY (J. MILLER: 415-558-6344)  
1630 CALIFORNIA STREET AND 1529 POLK STREET (THE "ROYAL THEATRE"),  
 north side of California Street between Polk Street and Van Ness Avenue, with additional



frontage on Polk Street, west side between California and Sacramento Streets, Lot 3 in Assessor's Block 643 -- Request for a Variance of City Planning Code requirements for rear-yard area and dwelling-unit exposure, in conjunction with a proposal to build a new, six-story, mixed-use building containing up to 42 dwelling units, up to 9,950 square feet of ground-floor commercial space, and a two-level underground garage containing up to 60 parking spaces, after demolition of the existing "Royal Theatre" building (with the exception of its Polk-Street facade which would be retained and incorporated into the new building), also the subject of a request for Conditional Use authorization for lot size, use size, and bulk exceptions -- in the Polk Street Neighborhood Commercial District and in a 65-A Height and Bulk District.

(Continued from Regular Meeting of May 9, 2002)

SPEAKER(S): Same as those listed in item 9a.

ACTION: The Zoning Administrator closed the public hearing and granted the variance subject to his review: make sure that 42 parking spaces are provided or show how they cannot be supplied (two spaces need to be commercial); 2) open space is provided; 3) the signage marquee should serve the public purpose once it's removed and replaced.

10. 2002.0354C (R. CRAWFORD: 415- 558-6358)  
369-373 WEST PORTAL AVENUE Assessor's Block 3012 Lot 016 Request under Planning Code Section 729.21 for Conditional Use Approval for a nonresidential use exceeding 2,500 square feet in floor area for a 3,012 square foot Trade Shop (Armstrong Carpet and Linoleum Co.). This project lies within the West Portal Avenue Neighborhood Commercial District and within the 26-X Height and Bulk District.  
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **George Sun – Project Architect**

- He presented himself and his client.

(+) **Steve Ballistreri – Owner of Armstrong Carpet and Linoleum**

- They are a service-oriented flooring retailer.

- They are very excited about moving to the West Portal District.

- He is currently involved in the Clement Street Merchant's Association. He will continue to work with Clement Street and hopes to be part of the West Portal Association. He believes it is important to keep the streets clean.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

MOTION: 16410

## E. DISCRETIONARY REVIEW HEARING

At Approximately **3:45 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

11. 2002.0187D (R. CRAWFORD: (415) 558-6358)  
126 GAMBIER STREET - West side between Sillman and Pioche Streets. Assessor's Block 5907 Lot 006. Request for Discretionary Review of Building Permit Application 2001/1203/4317, to remove the existing lean-to extension of the dwelling and construct a new two story addition to the rear in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk district.  
 Preliminary Recommendation: Take Discretionary Review and approve the permit with modifications.



SPEAKER(S): None

ACTION: At the call of the Chair, the matter was continued to May 23, 2002 to confirm or correct the address.

12. 2002.0141D (G. NELSON: (415) 558-6257)  
2130-2140 JEFFERSON STREET - south side between Lyon and Baker Streets; Lots 005 and 005A in Assessor's Block 0909 - Staff-initiated request for Discretionary Review of Building Permit Application 2001/1121/3631 to merge two existing single-family homes into one single-family home. The proposal involves substantial interior and exterior alterations, and would also result in the merger of the two lots into a single lot. The property is located within an RH-1 (Residential House, Single-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and disapprove the Building Permit.  
 (Continued from Regular Meeting of April 18, 2002)

SPEAKER(S):

**(+) Dan Sullivan – Representing Project Sponsor**

- The project sponsor would like to join the lots in order to make a single-family home.
- Six of the immediate neighbors support the project.
- There is no loss of housing units.
- The merger will comply with the adjacent larger homes.

**(+) Jeanette Simons**

- She has been living in the neighborhood for about six years.
- She adopted two young children and her parents are will be moving into her home.
- The additional space is invaluable to her.
- She is part of the community and would like to remain there.
- Her neighbors support this merger.

ACTION: Took Discretionary Review and approved the merger.

AYES: Baltimore, Fay, Joe, Lim, Salinas

NAYES: Chinchilla

ABSENT: Theoharis

13. 2001.0739DDDDDD (G. CABREROS: (415) 558-6169)  
3352 WASHINGTON STREET - north side between Walnut Street and Presidio Avenue, Lot 011 in Assessor's Block 0984 - Requests for Discretionary Review of Building Permit Application 2000/0616/2818S proposing to construct a dormer, deck and windscreens at roof level, to horizontally expand the rear of the existing building and to alter both front and rear facades in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.  
 (Continued from Regular Meeting of March 14, 2002)

SPEAKER(S):

**(-) Robert and Vern Doxie – Discretionary Review Requestor**

- She lives on Washington Street, across from the proposed site.
- She is in opposition to this project.
- She read two letters: one from the President of the Presidio Heights Association of Neighbors and one from a concerned neighbor.

**(-) Rober Heath**

- He lives on Washington Street
- He shares the same concern about the definition of what a dormer is.
- He believes that this so-called dormer is a 4<sup>th</sup> floor.
- He also has issues related to the roof of the proposed project.

**(-) Michael Shane**

- He lives on Washington Street.
- Whatever the project sponsor does to his home, it really has no affect to his house yet his concern is related to the precedent this project will cause to the neighborhood.
- He hopes that the Commission will not approve this addition.

**(-) Nancy Bowes**

- She lives on Washington Street.
- Presidio Heights Association of Neighbors only gets involved in significant issues.
- She is surprised that the staff would make this recommendation since the staff of the Planning Department should work for the public.
- There are no roof decks on Washington Street.

**(-) Alice Barkley – Representing one of the DR Requestors**

- The neighbors feel that this project exceeds the height limit.
- She has never seen a dormer with sliding glass doors that lead to a deck.
- She would like to have the “dumb-waiter” reduced as well as the entire 4<sup>th</sup> floor be disallowed.

**(-) Andrew Frost**

- He doesn't believe that the structure on the roof is a dormer; he believes that this should be called a room.
- Something like this does not fit in this area at all.
- He believes that this will set a precedent.

**(+) Jim Reuben – Reuben and Alter**

- The dormer interpretation was applied to live work units, the same exception, the same dormer interpretation, many times.
- There was an appeal filed by Ms. Alice Barkley regarding a letter from the Zoning Administrator. The appeal was to be heard about three weeks ago, but the Board of Appeals decided to wait until the Planning Commission heard this case.
- Displayed photographs of what the project looks like and what it will look like if the project is approved.

**(+) Mark Macie – Project Architect**

- He is available to answer questions about the design.
- There are other windscreens in the neighborhood.

**MOTION:** Do not take Discretionary Review and approve the project with staff recommendation.

**AYES:** Fay, Lim, Salinas

**NAYES:** Chinchilla, Joe, Baltimore

**ABSENT:** Theoharis

**RESULT:** The motion failed to carry

**ACTION:** At the call of the chair, project continued to June 6, 2002, to allow the absent commissioner to participate in the final action.

14. 2002.0120D (V. RYAN: 415-558-6812)  
362 31<sup>ST</sup> AVENUE - east side between California and Clement Street, Lot 024 in Assessor's Block 1403 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/0719/4043, proposing to merge two dwelling units into one dwelling unit in a building located at the front of the lot. The subject property which is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, also contains another dwelling unit in a building at the rear of the lot.  
 Preliminary Recommendation: Do not take Discretionary Review and approve building permit application.

**SPEAKER(S):**

**(+) Amad Rizadeh – Representing Project Sponsor**

- The project sponsor has spent a lot of money already on renovations.

- He hopes the Commission approves the merger.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas

ABSENT: Fay and Theoharis

15. 2002.0191D (P. VOLLMANN: 415-558-6405)  
292 IVY STREET - at the southeast corner of the intersection at Gough and Grove Streets, Lot 014 in Assessor's Block 0809 - Discretionary review request of Building Permit Application number 2001/12/28/6038, to legalize a seven stall parking garage on Ivy Street, in the Hayes Gough NCD, and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve parking with requirement to build dwelling units.

SPEAKER(S):

**(-) Petter Hattiaris – Representing the DR requestor**

- The project sponsor has made representations to people that she needs access to my clients space in order to build the residential units that are required to legalize the parking spaces.

- He has not heard of any need to do fire sealing work. His client discovered the building permit from the public posting. The first time he heard about this was when he was contacted by staff to submit some information for the litigation.

- It is true that his client and the project sponsor have been through bitter litigation.

- The project sponsor should make negotiations on what space she needs from the DR requestor. This is not any kind of extortion. They just want to know what access she needs and what she is willing to do to mitigate any impact this construction project will have on the business operations of the gallery.

**(-) Joe O'Donoghue**

- The project sponsor is an architect.

- The DR requestor did not know anything about permit search history.

- This project should be denied and need to go back to square one to force this landlord to deal with the project sponsor in a more equitable way.

**(-) Larry Roberts – Aid to Supervisor Matt Gonzalez**

- They have met with the DR requestor and they feel that he has made negotiations in good faith.

- It is not logical to grant residential parking when there is no residential.

**(-) Moulton Elder – DR Requestor**

- To provide parking for the condominiums, it took space away from him but there are no condominiums there.

- The issue of having condominiums over his ceiling has not been explained to him.

- He is worried about the impact construction will have on his gallery.

**(+) Charles Olson – Sanger and Olson – Representing Project Sponsor**

- He believes that there is no basis for Commission action.

- For many years there has been a landlord/tenant dispute.

- The real issue is how many parking spaces should be approved and if there will be any restrictions to these parking spaces.

- His client had intended to build condominiums.

- His client has spent a lot of money on legal fees related to access to DR requestor's space.

- He requests that seven parking spaces be approved: four for the two existing residential units, and three for use by Citizen Cake without any time requirement.

Approval of these parking spaces will not be detrimental to the neighborhood; they will serve existing residential and commercial users and not bring new drivers to the neighborhood.

- When MAX limited develops residential units in the future it intends to use all nine spaces for residential purposes.

**(+) Pam Pester**

- She has about 20 boxes filled with documents from MAX Limited's previous lawyers documenting the efforts they made over the three years prior to their representation dealing with the DR requestor.

**(+) Maria McFerish**

- She has a bad relationship with her tenant and this has cost a lot of money and required a lot of changes with the development plans they had for the building.
- Part of the unhappiness of the DR requestor was that she negotiated an agreement that the floor space of the DR requestor would be reduced.
- She needs all the parking spaces and would like to develop the third floor as soon as possible into residential dwellings and will need the parking for these dwellings.

**MOTION:** Take Discretionary Review and approve parking with requirement to build dwelling units.

**AYES:** Joe, Salinas

**NAYES:** Lim, Fay, Chinchilla, Baltimore

**RESULT:** Motion Failed

**ABSENT:** Theoharis

**MOTION:** Take Discretionary Review and disapprove the project.

**AYES:** Fay, Chinchilla, Lim

**NAYES:** Salinas, Joe, Baltimore

**RESULT:** Motion Failed

**ABSENT:** Theoharis

**ACTION:** At the call of the Chair, this matter was continued to June 13, 2002, to allow the absent commissioner to participate in the final action.

16. 2002.0066D (D. JONES: 415-558-6477)  
3683 – 18<sup>TH</sup> STREET - south side between Dolores and Guerrero Streets, Lot 047 in Assessor's Block 3587 - Pursuant to Resolution 16078 a Request for Discretionary Review is required for Building Permit Application No. 2001/09/21/8989, for the proposed dwelling unit merger of two existing units into one single-family dwelling located in an RM-2(Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the merger.

**SPEAKER(S):**

**(+) Joe Thomas – Project Sponsor**

- He and his wife have lived in the City since 1990.
- They have saved money for 10 years in order to purchase a home.
- They love the neighborhood and get along with their neighbors.
- They are not displacing anyone and are not making any impacts on the exterior of the building.
- They will be making improvement to the building.
- Their property is the smallest on the block.

**(+) Margaret Shraner**

- She is a fourth generation San Franciscan.
- She and her husband purchased this home along with Joe Thomas and his wife.
- They moved out when they had a daughter and found a place just a block away.
- She really wants families like Joe and Patty to live in Noe Valley.

**(+) Andy Rogers – Project Designer**

- He displayed a diagram and walked through the floor plan stating that the unit is extremely small with one of the bedrooms that has no closet and no window.
- The project sponsor and his wife occupy a room that should be a living room.
- Allowing the project sponsor to proceed would allow these violations to be taken care of.



- He supports the notion of not reducing units in the City but each of the merger cases should be looked at individually.

ACTION: Did not take Discretionary Review and Approved the Merger

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas

ABSENT: Theoharis

**F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Chris Arrott – Member of the Housing and Zoning Committee of the Russian Hill Community Association**

*RE: 1170-1180 Green Street*

- There is a neighborhood concern regarding the proposed construction project.
- They are concerned about the flawed building permit notification and review process being implemented by the Planning Department for the project on Green Street.
- They are requesting that the proposed new construction project be submitted under a new application for building permit since the project sponsor was using a two year old application that had been dormant for 18 months.
- They are concerned that the information contained in documents is inaccurate.
- They request that the Planning Commission inquire of the Planning Department why the 30 day review process should not be continued and why the Planning Department does not take action to disapprove and cancel the building permit for the proposed new construction.

**Marilyn Amini**

*Re: Request that the Commission rescind their action taken on May 9, 2002 regarding 320 Wasona Street*

- She submitted letters dated May 12, 2002.
- She feels that the full record was not before the Commission at the time of the hearing. She therefore requests that the case be reopened.

RESULT: The Chair asked if any commissioner wished to rescind their vote on this matter. There was no affirmative reply.

Adjournment: 6:46 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, June 6, 2002**



1)  
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5/23/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, May 23, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

JUN 21 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:35 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green - Director; Larry Badiner - Zoning Administrator; Kate McGee; Kelley Amdur; Art Aguilar; Michael Li; Rick Crawford; Thomas Wang; Matt Snyder; Dario Jones; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

**A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2002.0314CV (J. PURVIS: 415- 558-6354)  
4601 3RD STREET - east side between McKinnon and Newcomb Avenues, Assessor's Block 5306, Lots 4 and 29; Request for Conditional Use approval under Planning Code Sections 121.1 and 712.11 for development of a lot of 10,000 square feet or more. The project site is 16,000 square feet. The proposal is to construct a four-story-over-basement building with 53 units of senior housing and approximately 3,100 square feet of ground floor commercial and non-profit office space. A total of 52 parking spaces would be provided within a basement level garage, replacing all existing parking on the site, in addition to providing the Code required 11 spaces. The project would additionally require a rear yard modification. The site is within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions.  
(Proposed for Continuance to May 30, 2002)  
**SPEAKER(S):** None  
**ACTION:** Continued as Proposed  
**AYES:** Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Chinchilla

- 1b. 2002.0314CV (J. PURVIS: 415- 558-6354)  
**4601 3RD STREET** - east side between McKinnon and Newcomb Avenues, Assessor's Block 5306, Lots 4 and 29; Request for a rear yard modification for the above mixed-use project. Planning Code Section 134(a)(1) requires a rear yard of 25 percent the depth of a lot to be provided at the lowest story containing a dwelling unit, and at each succeeding story of a building. The proposed project would provide a rear yard of comparable size but within a courtyard. Section 134(e) allows for modification of the rear yard standard in certain districts subject to a hearing by the Zoning Administrator. The site is within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Approval with Conditions.  
**(Proposed for Continuance to May 30, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 2a. 2002.0363XBC (A. LIGHT 415-558-6254)  
**150 POWELL STREET**, southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16117, Determination of Downtown Compliance under Section 309 of the Planning Code, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 2b. 2002.0363XBC (A. LIGHT 415-558-6254)  
**150 POWELL STREET**, southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16118, Project Authorization for construction of office space under Section 321 of the Planning Code, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 2c. 2002.0363XBC (A. LIGHT 415-558-6254)  
150 POWELL STREET southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16119, Conditional Use Authorization for office use exceeding 5,000 gross square feet in a C-3-R (Downtown, Retail) Zoning District, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
Preliminary Recommendation: Approval  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 3a. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a Conditional Use authorization pursuant to Sections 803.5(c) and 816.48 of the Planning Code to convert 9,885 square feet at 1475 Folsom from office of design professionals and retail to general office use and to convert 10,361 square feet at 1479 Folsom from office and warehouse to general office; both lots are within a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex, Landmark #199, is also located within the Industrial Protection Zone (Planning Commission Resolution No. 16202), which discourages office conversions. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of May 16, 2002)  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 3b. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a parking variance for 5 required parking spaces at 1475 Folsom and 7 required spaces at 1479 Folsom—these parking requirements are based on pre-existing parking credits. The proposal does not provide any parking spaces for this project. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex, Landmark #199, is also located within the Industrial Protection Zone, per Resolution No. 16202. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
(Continued from Regular Meeting of May 16, 2002)  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 3c. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Mandatory Discretionary Review for conversion of existing uses (office of design professionals and retail / office and warehouse) to general office use within the Industrial Protection Zone, per Resolution No. 16202. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. The Jackson Brewery Complex is Landmark #199. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of May 16, 2002)  
**(Proposed for Continuance to June 6, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

4. 2001.0535E (B.WYCKO: (415) 558-5972)  
724-730 VAN NESS AVENUE/ 650-660 TURK STREET - **Appeal of Preliminary Negative Declaration.** The proposed project involves the demolition of two existing one-story buildings at 724-730 Van Ness Avenue and 650-660 Turk Street, and the construction of a new building consisting of an approximately 130-foot tall, 14-story tower fronting on Van Ness Avenue and a 67-foot tall, 7-story tower fronting on Turk Street above a two-level subsurface parking garage and ground floor retail space, accessory office and recreation/laundry room. The project site is located on Lots 4 and 8 in Assessor's Block 742. The vacant 724 Van Ness Avenue building was formerly occupied by about 4,500 square feet of retail space. At 730 Van Ness Avenue, there currently exists about 1,500 square feet of restaurant space. The existing structure at 650-660 Turk contains 9,750 square feet and is currently occupied by an auto repair business at street level and an auto glass repair shop at the mezzanine level. The new building would consist of about 134 dwelling units on floor levels 2 through 14 with lobby access from Van Ness Avenue, 45 independently-accessible parking spaces for the dwelling units on two parking levels with vehicular access from Turk Street, and ground floor space allocated to an approximately 1,530 square foot community/laundry room, about 830 square feet of office space accessory to the residential complex, and about 2,200 square feet of retail space. Both project site lots are within a RC-4 District (Residential-Commercial Combined District, High-Density District) and the Van Ness Avenue Special Use District (SUD) as well as a 130-V Height and Bulk District. The project would require Conditional Use authorization for new construction over 40 feet in height. The project sponsor would also need to seek Variances regarding off-street parking.  
(Continued from Regular Meeting of April 4, 2002)  
**(Proposed for Continuance to June 20, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 5a. 2000.0005EKRZC (R. CRAWFORD: 415-558-6358)  
375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 Request for General Plan Referral for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.



Preliminary Recommendation: Approval  
(Proposed for Continuance to June 27, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 5b. 2000.0005EKRZC (R. CRAWFORD: 415-558-6358)  
375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 Request for an Amendment to the Zoning Map to change the height district for the developable areas of the property from 80 feet to 90 feet and to adjust the boundary between the developable areas and Open Space areas of the property to provide for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.  
Preliminary Recommendation: Approval  
(Proposed for Continuance to June 27, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

- 5c. 2000.0005EKRZC (R. CRAWFORD: 415-558-6358)  
375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 Request for Conditional Use Approval under Planning Code Section 271.(a) for an exemption from the bulk requirement and under Section 157 for parking exceeding accessory amounts for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.  
Preliminary Recommendation: Approval with Conditions.  
(Proposed for Continuance to June 27, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla

6. 2001.1168D (M. SMITH: 415-558-6322)  
138 WHITNEY STREET - west side of the street between Fairmount and Randall Streets, Lot 007 in Assessor's Block 6664 - Request for Discretionary Review of Building Permit Application No. 2000/12/19/8292, proposing to enlarge the existing detached garage to accommodate two cars and construct a two-story addition located partially on the roof of the garage, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the Project (Continued from Regular Calendar of April 25, 2002)  
**NOTE: Due to design modifications this project will need revised Planning Code Section 311 and Discretionary Review notifications to be done at a later date.**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla



**B. COMMISSIONERS' QUESTIONS AND MATTERS**

7. Consideration of Adoption - draft minutes of April 28 and May 2, 2001.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Chinchilla

8. Commission Matters  
**None**

**C. DIRECTOR'S REPORT**

9. Director's Announcements

*Re: Computer Budget*

- On Monday, May 20, 2002, the Director was requested to represent the Planning Department before a committee that goes by the acronym of COIT. The department had to present its computer spending plan and show how this is going to correct the computer problems. Once the plans are released and the funds are released, we estimate that it will be about three weeks before the equipment is installed and everything is up and running.

*Re: Audit*

- The Planning Department has been asked to respond to the audit that has been prepared by the budget analyst of the Board of Supervisors. The Department has responded to that. Copies of the audit and responses will be provided to the Commission as soon as it is available.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

**BOS – None**

**BOA –**

*Re: 2 Upland Drive*

- This case was before the Commission on December 14, 2001. The Commission expressed concern about the height of the third floor addition. The neighbors did not know what was going on. There were questions on the design. The Commission denied this project sending a clear message that this case should have had a good design through a process that should be upfront. This case was before the Board of Appeal a few weeks ago with a totally new design. The Board sent this project back to be analyzed by the neighbors. The neighbors were not in favor of this new design. The Board felt that there is and should be a true procedural process. This project needs to start from scratch with new permits and a 311 notice process that provides an opportunity for the neighbors to decide if they want to file a Discretionary Review.

*Re: 2518 Union Street*

- This case was before the Commission on March 14, 2002 and the Commission took Discretionary Review to modify the project. The project sponsor before the Board of Appeals appealed the modifications. The Board decided to continue this case for two weeks since it appears that both parties involved are very close to a compromise.

- 11.

(L. BADINER: 415-558-6350)

Annual Office Limitation Program – Status Report

SPEAKER(S): None

ACTION: Without hearing, continued to May 30, 2002

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Chinchilla

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

**Elena Myers**

*Re: 1077 Mississippi Street*

- She lives across the street from 1077 Mississippi Street.
- There is a mistake on the calendar language stated in the agenda.
- This building will cause her to lose her morning sunlight.
- There are more sites where these types of projects can be built.
- She would like this project disapproved.

**Kristin Chun**

*Re: 1077 Mississippi Street*

- She is not supporting this project.
- She is concerned about safety and parking problems on this block.
- People are parked in their driveways and double-parked.
- She hopes that the Commission will consider that this block is already very busy.

**Max Schmeder**

*Re: 1077 Mississippi Street*

- He has been living on Mississippi for about 20 years.
- Parking on this street is already 100% saturated.
- There are a lot of unsafe areas around the area.
- He is not opposed to the principal of increasing house for people but this is a very poor location for that principal.
- He is resigned about losing light but is concerned about traffic.

**David Silverman – Representing Project Sponsor**

*Re: 1077 Mississippi Street*

- The project is not five stories.
- One side of the street is already zoned residential.

**Ashley Devoir**

*Re: 839 Dolores Street*

- This case was heard on May 2, 2002.
- She has full support of her neighbors for this merger and there is no displacement of any tenants. She has kept it vacant in the hope to merge the units.
- The house is not affordable.
- She has lived in San Francisco for many years and hopes to stay here.

**Don Warton**

*Re: 23<sup>rd</sup> and Harrison Street Project*

- He lives on Harrison Street.
- He has a list of the people who attended a community meeting who are opposed to this project.
- He submitted the list of names of the people who attended this community meeting.

Section E – Taken out of order and heard after Section F**E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED****12a. 2002.0321CD (K. McGEE: 415-558-6367)**

3003/3005 - 23<sup>rd</sup> STREET, south side, at the corner of 23<sup>rd</sup> and Harrison Streets; Lot 1 in Assessor's Block 3640 – Request for Conditional Use Authorization to construct two dwelling units in the Mission District. Market-rate dwelling units, that do not provide 25% affordability, are subject to Conditional Use Authorization per the Mission District Interim Controls, Resolution No. 518-01. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District. The proposal is to construct two dwelling units of approximately 2,800 square feet each in the Mission District. The proposed building height would be 40 feet.

Preliminary Recommendation: Approve with conditions.

**NOTE:** On May 9, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to approve with modified conditions. The vote was +3 -2. Commissioners Chinchilla and Fay voted No. Commissioners Theoharis and Joe were absent. The matter was continued to May 23, 2002, at the call of the chair to allow the absent commissioners to participate in the final action.

**SPEAKER(S):** None

**ACTION:** Approved with modifications: Staff is instructed to continue to work on the design with the project sponsor and approve it prior to the issuance of any permit.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

**NAYES:** Salinas

**MOTION:** 16415

**12b. 2002.0321CD (K. McGEE: 415-558-6367)**

3003/3005 - 23<sup>rd</sup> STREET, south side, at the corner of 23<sup>rd</sup> and Harrison Streets; Lot 1 in Assessor's Block 3640 – Resolution No. 518-01 requires mandatory Discretionary Review for a change of use per the Mission District Interim Controls. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**NOTE:** On May 9, 2002, following public testimony, the Commission closed the public hearing, and entertained a motion to not take discretionary review and approve the project. The vote was +3 -2. Commissioners Chinchilla and Fay voted No. Commissioners Theoharis and Joe were absent. The matter was continued to May 23, 2002, at the call of the chair to allow the absent commissioners to participate in the final action.

**SPEAKER(S):** None

**ACTION:** Take Discretionary Review and approve project as modified: Staff is instructed to continue to work on the design with the project sponsor and approve it prior to the issuance of any permit.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

**NAYES:** Salinas

**13a. 2002.0323CD (K. McGEE: 415-558-6367)**

3007/3009 - 23<sup>rd</sup> STREET, south side, between Harrison Street and Treat Avenue; Lot 1 in Assessor's Block 3640 – Request for Conditional Use Authorization to construct two dwelling units in the Mission District. Market-rate dwelling units, that do not provide 25% affordability, are subject to Conditional Use Authorization per the Mission District Interim

Controls, Resolution No. 518-01. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District. The proposed building height would be 40 feet.

Preliminary Recommendation: Approve with conditions.

**NOTE:** On May 9, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to approve with modified conditions. The vote was +3 -2. Commissioners Chinchilla and Fay voted No. Commissioners Theoharis and Joe were absent. The matter was continued to May 23, 2002, at the call of the chair to allow the absent commissioners to participate in the final action.

SPEAKER(S): None

ACTION: Approved with modifications: Staff is instructed to continue to work on the design with the project sponsor and approve it prior to the issuance of any permit.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

NAYES: Salinas

MOTION: 16416

- 13b. 2002.0323CD (K. McGEE: 415-558-6367)

3007/3009 - 23<sup>rd</sup> STREET, south side, between Harrison Street and Treat Avenue; Lot 1 in Assessor's Block 3640 - Resolution No. 518-01 requires mandatory Discretionary Review for a change of use per the Mission District Interim Controls. The property is located in a RH-2 Zoning District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**NOTE:** On May 9, 2002, following public testimony, the Commission closed the public hearing, and entertained a motion to not take discretionary review and approve the project. The vote was +3 -2. Commissioners Chinchilla and Fay voted No. Commissioners Theoharis and Joe were absent. The matter was continued to May 23, 2002, at the call of the chair to allow the absent commissioners to participate in the final action.

SPEAKER(S): None

ACTION: Take Discretionary Review and approve project as modified: Staff is instructed to continue to work on the design with the project sponsor and approve it prior to the issuance of any permit.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Theoharis

NAYES: Salinas

14. 2001.0645D (D. JONES: 415-558-6477)

839 DOLORES STREET - east side between 21<sup>st</sup> and 22<sup>nd</sup> Streets, Lot 076 in Assessor's Block 3618 - Pursuant to Resolution 16078 a Request for Discretionary Review is required for Building Permit Application No. 2001/06/21/2117, for the proposed dwelling unit merger of two existing units into one single-family dwelling located in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the merger. (Continued from Regular Meeting of May 2, 2002)

**NOTE:** On May 2, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to take discretionary review and approve the merger with conditions. The motion failed by a vote +3 -2 with Commissioners Chinchilla and Salinas voting against. Commissioner Joe and Theoharis were absent. The matter was continued at the call of the chair to May 23, 2002, to allow the absent Commissioners to participate in the final action.

SPEAKER(S): None

MOTION: Take Discretionary Review and Disapprove Merger

AYES: Chinchilla, Salinas, Theoharis



NAYES: Baltimore, Fay, Joe, Lim  
RESULT: Motion Failed

ACTION: Do not take Discretionary Review and Approve Merger with the condition that the front doors be retained.

AYES: Baltimore, Fay, Joe, Lim  
NAYES: Chinchilla, Salinas, Theoharis

**THE FOLLOWING ITEMS WERE NOTICED ON AN ADDENDUM AND WERE HEARD AFTER ITEM 14:**

- a. 2001.1061CD (B. FU: 415-558-6613)  
1077 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 050 in Assessor's Block 4224 - Request for Conditional Use Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to demolish an existing industrial building and allow the construction of three (3) dwelling units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of April 11, 2002)

**NOTE: On April 11, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to approve the project. The vote was +3-3. Commissioners Chinchilla, Joe and Salinas voted No. Commissioner Theoharis was absent. The matter was continued to May 23, 2002 to allow the absent Commissioner to participate in the final action.**

SPEAKER(S): None  
MOTION: Approve Project  
AYES: Baltimore, Fay, Lim  
NAYES: Chinchilla, Joe, Salinas, Theoharis  
RESULT: Motion Failed

ACTION: Disapprove Project  
AYES: Chinchilla, Joe, Salinas, Theoharis  
NAYES: Baltimore, Fay, Lim  
MOTION: 16417

- b. 2001.1061CD (B. FU: (415) 558-6613)  
1077 MISSISSIPPI STREET - east side, between 23<sup>rd</sup> and 25<sup>th</sup> Streets, Lot 050 in Assessor's Block 4224 - Mandatory Discretionary Review per Planning Commission IPZ Policy, Resolution Number 16202), to demolish an existing industrial building and allow the construction of three (3) dwelling units within a M-1 (Light Industrial) District, an IPZ (Industrial Protection Zone), with a 40-X Height and Bulk designation.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Hearing of April 11, 2002)

**NOTE: On April 11, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to not take Discretionary Review and approve the project. The vote was +3-3. Commissioners Chinchilla, Joe and Salinas voted No. Commissioner Theoharis was absent. The matter was continued to May 23, 2002 to allow the absent Commissioner to participate in the final action.**

SPEAKER(S): None  
MOTION: Do not take Discretionary Review and Approve the Project  
AYES: Baltimore, Fay, Lim  
NAYES: Chinchilla, Joe, Salinas, Theoharis  
RESULT: Motion Failed



SPEAKER(S): None  
ACTION: Take Discretionary Review and Disapprove Project  
AYES: Chinchilla, Joe, Salinas, Theoharis  
NAYES: Baltimore, Fay, Lim

## F. REGULAR CALENDAR

15. 2000.790KEXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (aka 155 Fifth Street) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 -- Request for adoption of CEQA findings, including a statement of overriding considerations, for the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space  
Preliminary Recommendation: Approval  
(Continued from Regular Hearing of May 16, 2002)

SPEAKER(S):

**(+) John Buss – Continental Development Corporation – Project Sponsor**

- This hotel will be adjacent to Moscone West. It will be 100% privately financed.
- This hotel will accommodate 21,000 visitors.
- There will be a shortage of 1,000 rooms in 2006 and 2,000 rooms in 2008 even if this project is approved.
- There are already bookings to the year 2016.
- This area has one of the highest meeting places in the City.
- There will be over 43,000 square feet of meeting space as well as other amenities for the guests.
- There will be one level of underground parking.
- They will be developing on vacant land and are not displacing anyone.
- There is a need for more hotel rooms in San Francisco.
- This will enhance San Francisco's role as a tourist and destination center.
- All of the Howard Street frontages will contain retail and/or business.
- This project will provide thousands of job opportunities.

**(+) Kate Hart – Crosby Heafy - Attorney Representing 888 Howard**

- This project has a very positive impact on the area and for San Francisco.
- A text amendment would not be very different than granting a rezoning.

**(+) Don Marcos – Mission Hiring Hall**

- The hall supports this project because in the current economy, this project will create about 1,000 jobs.

- He would like to get this employment package going.

**(+) Amelia Calalag**

- She is a member of the South of Market Employment Training Program and with her are other classmates from the Hospitality Course.
- They are all in support of this project since it will create jobs.

**(+) Tho Do – Hotel Employees and Restaurant Employees Union**

- She is here representing Local 2 who are mostly restaurant and hotel workers.
- Because of their union, there is a very good union contract.
- The union is in support of this project because it will create more jobs.
- They don't support the reduction of square feet.

- She would like the Commission to approve this project as proposed.

**(+) Stan Warren – Representing the San Francisco Building Construction Trades Council**

- This project is very welcome because it will provide much needed employment to the City.

**(+) Michael Chan – Housing Director of the Asian Incorporated**

- They are in support of this project since it will cause development of an underdeveloped site, it will create jobs, and will provide a source of funds that potentially will be reinvested in housing projects.

**(+) Edwin Jocson – West Bay Phillippine South of Market Center**

- They have signed an MOU with Continental Developemnt Corporation.
- This project will create jobs and bring income to the City.

**(+) Daisy Cruz – Wes Bay Filipino South of Market Center**

- She supports the project.

**(+) Lolita Ramos – Senior Organization of West Bay**

- She supports the project.

**(+) Connie Palacio**

- She has lived in the South of Market area for 26 years.
- She supports the project.

**(+) Alan Bulda – South of Market Teen Center**

- The center is in support of this project.
- It will increase jobs for members of the center.

**(+) Charles Range – Director of South of Market Health Center**

- He is here to speak in support of this project.
- He resubmitted a letter to the Commission expressing support for this project.
- The developer did an incredible outreach with the various community organizations in the area. They also negotiated with various community groups.
- There is a need in South of Market. There is a need for development and there is a need for varioius organizations to grow.

**(+) Leon Spenser – Member of Local 261**

- He supports this project because it will create jobs and he needs a job.

**(+) Louise Williams**

- She is a carpenter apprentice and is out of work.
- She supports this project because it will create a job for her.

**(+) Douglas Perry – Publisher of Organizaed Labor Magazine.**

- He supports the project because it will enhance the South of Market and Yerba Buena area.

**(+) Sue Hestor**

- She is in support of this project and agrees with staff concerns about the battle of open space.

**(-) Jeanne Batallones – SOMA Community Action Network**

- This project will create spot zoning.
- The area is going through a planning process which will determine what the area really needs.
- She hopes that the Commission will disapprove the project.

**(+/-) TJ Kniveton**

- He lives less than a block away from the proposed site.
- He supports the project yet there are a lot of impacts and problems stated in the EIR...Wind pattern changes, construction pattern affects, traffic, etc.

**(-) Christina Logie – 6<sup>th</sup> Street Agenda**

- They are not in support of this project until an agreement is reached with various eithnic groups and organizations.

ACTION: Approved  
 AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
 ABSENT: Chinchilla  
 MOTION: 16408

888 HOWARD STREET (aka 155 Fifth Street) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 -- Request for Determinations of Compliance under Planning Code Section 309 (Downtown Project) and approval of Exceptions, including an exception to the Reduction of Ground Level Wind Currents requirements (Section 148) and an exception to the Bulk Limits (Sections 270 and 272), for the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Hearing of May 16, 2002)

SPEAKER(S): Same as those listed in item 15.

ACTION: Intent to Approve with conditions: an amendment that requires the sponsor to provide 4,000 sf of offsite open space in addition to the open space proposed on-site. Final language on June 6, 2002.

AYES: Joe, Lim, Salinas, Theoharis

NAYES: Baltimore, Fay

ABSENT: Chinchilla

- 16b. 2000.790KEXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (AKA 155 FIFTH STREET) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 - Request for Conditional Use authorization for a hotel with more than 200 rooms (Sections 303 and 216(b)), for the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Hearing of May 16, 2002)

SPEAKER(S): Same as those listed in item 15.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Chinchilla

MOTION: 16409

- 16c. 2000.790KEXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (AKA 155 FIFTH STREET) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 - Request pursuant to Section 302(c) for amendments to the text of the Planning Code and to two Zoning Maps to reclassify the project site in order to allow the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space.. The proposal would change the height and bulk zoning of the project site from 160-F to 320-S, and would create a special use district, C-3-S (SU) for the project site. The special use district would increase the maximum FAR allowed without the purchase of Transferable Development Rights (TDR) from 5:1 to 7.5:1. The site is currently zoned C-3-S, which allows a maximum FAR of 7.5:1, but only with the purchase of TDR.  
 Preliminary Recommendation: Approval of reclassification from 160-F to 320-S, Disapproval of reclassification from C-3-S to C-3-S (SU)  
 (Continued from Regular Hearing of May 16, 2002)

SPEAKER(S): Same as those listed in item 15.  
ACTION A: Approved the height change from 160-F to 320-S.  
AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Chinchilla  
MOTION: 16410

ACTION B: Intent to Approve Reclassification from C-3-S to C-3-S(SU) with a finding that the sponsor is to provide a contribution for the restoration of a landmark building. Final Language on June 6, 2002.

AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
NAYES: Joe  
ABSENT: Chinchilla

- 16d. 2000.790KEXCTZM (K. AMDUR: 415-558-6351)  
888 HOWARD STREET (AKA 155 FIFTH STREET) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 - Request pursuant to Section 340 for amendments to Maps 1 and 5 of the Downtown Area Plan of the General Plan for the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space.  
Preliminary Recommendation: Approval of amendment to Map 5 (Proposed Height and Bulk Districts) of the Downtown Area Plan, Disapproval of amendment to Map 1 (Downtown Land Use and Density Plan) of the Downtown Area Plan  
(Continued from Regular Hearing of May 16, 2002)

SPEAKER(S): Same as those listed in item 15.  
ACTION: Intent to Approve. Final Language June 6, 2002.  
AYES: Baltimore, Fay, Lim, Salinas, Theoharis  
NAYES: Joe  
ABSENT: Chinchilla

17. 2002.0153T (J-P. SAMAHA: 415-558-6602)  
MULTIPLE LANGUAGES LEGISLATION - Consideration of recommendations for an ordinance amending the Building Code by adding Section 104.6 through 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of April 25, 2002)

ACTION: This matter is being re-introduced at the Board of Supervisors and is no longer before the Commission at this time.

18. 2001.0789C (M. SMITH: 415-558-6322)  
597-599 MONTEREY BOULEVARD - southeast corner of Monterey Boulevard and Foerster Street, Lot 028 in Assessor's Block 3116 - Request by Sprint PCS for Conditional Use Authorization under Planning Code Sections 710.83 to install a wireless telecommunication facility consisting of two antennas mounted near the northwest corner of the rooftop, one GPS antenna mounted to the southeast corner of the rooftop, and five associated equipment cabinets installed within the detached garage of a two-story mixed use building located in a NC-1 (Neighborhood Commercial Cluster) District and a 32-X Height and Bulk District. The subject site is a Limited Preference 6 site according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as it is a mixed-use building in a NC-1 District.



Preliminary Recommendation: Approval with Conditions  
(Continued from Regular Meeting of May 2, 2002)

SPEAKER(S): None

ACTION: Without Hearing, continued to June 6, 2002

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Chinchilla

19. 2001.1099E (A. AGUILAR: 415-558-5973)  
533 SUTTER STREET - Assessor's Block 296, Lot 13D - **Appeal of a Preliminary Mitigated Negative Declaration.** The project site is currently developed with a two-story-plus-basement building containing a mix of retail, office, and theater uses. The proposed project would involve the conversion of 4,200 gross square feet (gsf) of existing second-floor offices and theater use to four dwelling units and construction of three additional floors of residential use with four dwelling units on each new floor, for a total of 16 dwelling units. The existing ground-floor retail would remain as is. The proposed project would add three stories, approximately 36 feet in height, for a total building height of approximately 65 feet. The proposed project would add 15,000 gsf of new construction, for a total building floor area of 23,200 gsf. The project site at 533 Sutter Street (Assessor's Block 0296, Lot 13D) is about 6,050 square feet in size and is located mid-block on the southern side of Sutter Street in the Downtown/Civic Center neighborhood on the block bounded by Mason, Sutter, Powell, and Post Streets. The entrance and access to the project site would be from Sutter Street. The existing building has no parking or loading spaces and none are proposed. The project site is zoned C-3-R (Downtown Retail) District and is within an 80-130-F Height/Bulk District. The existing building, constructed in 1921, is a Category V (unrated) building within the Kearny-Market-Mason-Sutter Conservation District.  
Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration.  
(Continued from Regular Meeting of May 9, 2002)

SPEAKER(S):

(-) **Simon Chang - Appellant**

- He lives next door to the proposed project.
- This street is more for commercial and retail.
- All the tenants in his building are opposed to the project.
- Traffic will be a problem in the area.
- The current building has fire escapes on the side where the building will be built.
- This project will block off an emergency exit for the tenants.
- He hopes the Commission will take into consideration the concerns of the tenants.

(+) **Tai Via - Coblenz, Patch, Duffy and Bass**

- This is a very modest project.
- It will be a great contribution to the area.

ACTION: Preliminary Mitigated Negative Declaration Upheld

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16411

20. 2000.965E\KXC (M. LI: 415-558-6396)  
949-961 MARKET STREET - south side between 5<sup>th</sup> and 6<sup>th</sup> Streets, Lot 071 in Assessor's Block 3704 - Adoption of environmental findings pursuant to the California Environmental Quality Act (CEQA) for the demolition of the St. Francis Theater and the construction of a 12-story, 119-foot-high building containing 151 dwelling units, approximately 6,500 square feet of retail space, and approximately 97 independently accessible parking spaces with valet service for a total of approximately 156 parking spaces. The project site is within a C-3-G (Downtown General Commercial) District and a 120-X Height and Bulk District.



Preliminary Recommendation: Adoption of CEQA findings

SPEAKER(S):

(+) **Jim Reuben – Reuben and Alter**

- Introduced the architects

(+) **Jom McHiltie – MBH Architects**

- Explained and demonstrated the architectural aspects of the project.

(+) **Carolyn Dimond – Executive Director of the Market Street Association**

- The Association is in support of the project because it will improve and revitalize this area.

- She hopes that the Commission will approve this project.

- This is a very important and significant project for Market Street.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

EXCUSED: Fay

MOTION: 16412

- 21a. 2000.965EIKXC (M. LI: 415-558-6396)  
949-961 MARKET STREET - south side between 5<sup>th</sup> and 6<sup>th</sup> Streets, Lot 071 in Assessor's Block 3704 - Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions including: an exception to the rear yard requirements as permitted in Section 134(d), an exception to the ground-level wind current requirements as permitted in Section 148, and an exception to the freight loading requirements as permitted in Section 161(i) for the demolition of the St. Francis Theater and the construction of a 12-story, 119-foot-high building containing 151 dwelling units, approximately 6,500 square feet of retail space, and approximately 97 independently accessible parking spaces with valet service for a total of approximately 156 parking spaces. The project site is within a C-3-G (Downtown General Commercial) District and a 120-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): Same as those listed in item 20.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

EXCUSED: Fay

MOTION: 16413

- 21b. 2000.965EIKXC (M. LI: 415-558-6396)  
949-961 MARKET STREET - south side between 5<sup>th</sup> and 6<sup>th</sup> Streets; Lot 071 in Assessor's Block 3704 - Request for conditional use authorization to provide off-street parking that exceeds an amount classified as accessory. The proposal is to allow the demolition of the St. Francis Theater and the construction of a 12-story, 119-foot-high building containing 151 dwelling units, approximately 6,500 square feet of retail space, and approximately 97 independently accessible parking spaces with valet service for a total of approximately 156 spaces. The project site lies within a C-3-G (Downtown General Commercial) District and a 120-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): Same as those listed in item 20.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

EXCUSED: Fay

MOTION: 16414

**G. DISCRETIONARY REVIEW HEARING**

At Approximately **5:14 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

22. 2002.0187D (R. CRAWFORD: 415-558-6358)  
128 GAMBIER STREET - West side between Sillman and Pioche Streets. Assessor's Block 5907 Lot 006 - Request for Discretionary Review of Building Permit Application 2001/1203/4317, to remove the existing lean-to extension of the dwelling and construct a new two story addition to the rear in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk district.  
Preliminary Recommendation: Take Discretionary Review and approve the permit with modifications.  
(Continued from Regular Meeting of May 16, 2002)  
**NOTE: At the call of the chair, this item was continued to May 23, 2002, to correct the address.**

**SPEAKER(S):****(-) Sue Jon Kim – DR Requestor**

- She and her husband are opposed to the 2<sup>nd</sup> story aspect of the proposed project.
- There is no other house that has a 2<sup>nd</sup> story rear addition.
- They would like to maintain the beauty and character of their neighborhood.

**(-) Dave Wise – DR Requestor**

- They purchased their home in this neighborhood believing in the Residential Design Guidelines.
- He is opposed to the project because by doubling its square footage, it will be too large.
- It is important that people have the opportunity to expand their homes--but it should be reasonable.

**(-) Miriam Broder**

- She lives on Gambier Street.
- The addition does not seem to have any regard for the surrounding homes.
- She is not opposed to a two-story addition, but she is opposed to the height of this addition.
- If the addition would be excavated, it would reduce the impact on the adjacent homes and it would be more in keeping with the Residential Design Guidelines.

**(-) Cheryl Forest**

- She is against the proposed project as it is submitted.
- This project will set a precedent for the neighborhood.
- She submitted a signed petition from neighbors

**(+) Mario Chang – Project Sponsor**

- They have lived in the neighborhood for more than 12 years.
- The square footage of their home is quite small.
- They are not planning to move out of the City.
- They both work for the City and County of San Francisco.
- They talked to the neighbors regarding their project.

**ACTION:** Took Discretionary Review and approved as modified: eliminate the parapet.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

23. 2001.0513D (T. WANG: (415) 558-6335)  
2667 37<sup>th</sup> AVENUE - west side between Vicente and Wawona Streets; Lot 017 in Assessor's Block 2459- Request of Discretionary Review of Building Permit Application

No. 2001/03/03/3401 to construct a second floor rear extension and a new third floor vertical addition with an exterior stairway to an existing two-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve with modifications

**SPEAKER(S):**

**(-) Tod Denman**

- They were out of town last year when all of this began.
- He feels that the 3<sup>rd</sup> story addition is out of character with the neighborhood. It will block their view and intrude into their privacy.

**(-) Dr. Maria Denman**

- She is worried that a tree will have to be cut.
- There is a question of aesthetics as well.

**(+) Michael Mullin – Project Architect**

- He is a bit confused because the couple who just spoke had expressed that they thought the 3<sup>rd</sup> story addition was ok.
- He and the project sponsor contacted various neighbors.
- An engineering study concluded that the impact of sun on one of the neighbors would be minimal.
- There will be minimal impact on the neighborhood.
- The DR requestor and other neighbors have not been available to develop any compromises in the meantime. He feels that the Commission should not take Discretionary Review.

**(+) Adrian Heard – Project Sponsor**

- She and her husband would like to make part of the house wheelchair accessible.
- Her parents and the parents of her husband are in their 80s and they would like to have them come live with them.
- They have gone to their neighbors various times to discuss the project.

**(+) Jeff Rodman**

- He spoke on the design of the project.

**ACTION:** Take Discretionary Review and approve with modifications: Set the portions of the project that extend beyond the DR requestor's second floor bedroom window back 4'-4" from the adjoining side lot line to minimize the impact on the current sunlight access to the said window. These portions of the project shall include the second floor extension, the new third floor vertical addition with a bay window/balcony and the rear open stairway.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

24. 2001.1050D (M. SNYDER: 415-558-6891)  
3271 18<sup>th</sup> STREET (aka 3251 18<sup>th</sup> STREET) - southwest corner of 18<sup>th</sup> Street and Shotwell Street, Lot 18 in Assessor's Block 3591 - Mandatory Discretionary Review under Board of Supervisor's Resolution 518-01 of Demolition Permit No. 2002/01/16/7139, for the change of use from an existing union hall to an empty lot. The lot is proposed to be developed with a new mixed-use building that would contain a union hall/community service office. Only the demolition of the existing building is subject to this Mandatory Discretionary Review. The subject site is within M-1 (Light Industrial) District, a 50-X Height and Bulk District, and an Industrial Protection Zone (as designated in Planning Commission Resolution 16202).

Preliminary Recommendation: Take Discretionary Review and approve with conditions

**SPEAKER(S):**

**(+) Dennis Ho – Representing the Development Team on behalf of the Laborers International Union Local 261**

- They have been working on this project along with the neighborhood for more than one year.
- They have done extensive community outreach and there are various letters from these organizations supporting the project (included in the Commissioners packets).
- He is in agreement with staff recommendations.

**(+) Walter L. Johnson, Esq. – San Francisco Labor Council**

- The labor council strongly agrees with the demolition of this project.
- He hopes that the Commission will approve this demolition.

**(+) Eric Quesada – Mission Anti-Displacement Coalition**

- The coalition supports this project.
- There were some issues with the interim controls which were resolved.

**(+) Jean Atkinson**

- The catholic church on South Van Ness and 18<sup>th</sup> Street is in support of this project as well as the Korean church.

**ACTION:** Demolition Approved

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

## **F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Marilyn Amini**

*Re: 320 Wawona Street*

- Appeared last week asking the Commission to rescind its vote taken on May 9, 2002, on the subject property on the belief that a document she submitted the day before the hearing was not before the Commission at the time of the vote.
- Requested that the Commission schedule this matter for a future date.
- She submitted a packet of information regarding this project and would like to have an opportunity to rebut the facts stated in the packet.

Adjournment: 6:20 p.m.

## **THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, June 13, 2002**

**ACTION:** Approved with Corrections

**AYES:** Baltimore, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** Chinchilla, Lim





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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, May 30, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JUL 18 2002

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PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:40 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Kate McGee; Kelley Amdur; Art Aguilar; Michael Li; Rick Crawford; Thomas Wang; Matt Snyder; Dario Jones; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0474D (S. SANCHEZ: 415-558-6679)  
318 29<sup>th</sup> AVENUE - east side between California and Clement Streets; Lot 046 in Assessor's Block 1405 - Staff-initiated request for Discretionary Review of Building Permit Application 2000/10/13/2953 proposing to demolish the existing three level single family dwelling (the project also proposes the new construction of a two-unit building under separate permit). The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and disapprove the demolition application.  
(Proposed for Continuance to August 1, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued as Proposed  
**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Baltimore

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

2. Consideration of Adoption - draft minutes of May 9, 2002

SPEAKER(S): None

ACTION: Approved

AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

ABSENT: Baltimore

3. Commission Matters

**Commissioner Theoharis:** There was an article in the Chronicle regarding the demolition cases being heard today. The article inferred that the Commission was crowding these types of cases because their (commissioner's) terms might be up by the end of June. She would like to clarify that the Commission instituted a policy that these cases would have to come before the Commission, even though they didn't have to legally, but because they deserved additional scrutiny. Because the Commission became aware that there was a backlog of these cases, they scheduled a special hearing on a 5<sup>th</sup> Thursday (fifth Thursdays are usually canceled) to handle them.

**C. DIRECTOR'S REPORT**

4. Director's Announcements

**None**

5. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS – None**

**BOA**

*Re: 1117 Judah Street*

The Commission took Discretionary Review on September 5, 2002 and requested that the project sponsor cut back the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors by 8 feet. The Board approved what the project sponsor had proposed to them: cut back half of the building adjacent to the DR requestor but allowed the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floor to go back approximately 8 feet. The Board felt that there were special configurations from the DR requestor but that should not grant them a right or an easement over the adjacent property.

*Re: 337-339 Mississippi Street*

The Commission took Discretionary Review on December 6, 2001 and denied the dwelling merger. The Board overruled the Commission's decision stating that the market has changed and there are a lot of vacancies and rentals. This merger would create family housing, which is desperately needed.

6. Consideration of Adoption of Commission policy on Annual Office Limitation Program – Project Construction  
(L. BADINER: 415-558-6350)  
(Continued from Regular Meeting of May 23, 2002)

SPEAKER(S):

(-) **Jul Niemier**

- He is opposed to this policy. He would like the Commission to not renew or extend this policy.

(-) **Mary Bobbitt**

- She is opposed to the Bryant Square Project.

**(-) Tom Wetzel – Mission Anti-Displacement Coalition**

- He is against this policy because during the hearing of the Bryant Square project, the argument of adverse economic impacts could not be used to the benefit of the developers.

- It is shameful to allow this reasoning to go ahead because it shows that the Commission is out for the interest of the developers and not the people of the City.

**(-) Sue Hestor**

- There has not been enough notice of this item.

- Last week there was a different description on the agenda than this week's agenda.

- This is a major policy that needs to be discussed.

- This item should be continued.

**(-) Luis Granados – Mission Economic Development Association**

- He asks that the Commission not take action on staff's recommendation since the recommendation will be a huge policy decision.

- He believes that projects got permits on a different set of standards. This policy should apply to projects from here forward and not retroactively.

**(-/+) Tay Via – Cobletz, Patch, Duffy and Bass – Representing the Project Sponsor of First and Howard Streets**

- If the Commission adopts the new policy in terms of reporting and performance, she requests that they be treated as the other projects. If not, they will come back for an extension.

**(-/+) Tim Tosta – Steefel, Lefitt and Weiss**

- His only concern is the message that might be sent from this policy.

- He strongly supports staff recommendation but has a suggestion that would add a further recommendation: add a provision that would declare that under the economic circumstances like the one we are going through today, that the time be eclipsed from the calculation.

**(+) Jim Reuben – Reuben & Alter**

- He supports the six to eight projects on the list that his firm has been working on. He is also in support of the staff recommendation and resolution as drafted.

**(-) Calvin Welch – Council of Community Housing Organizations**

- He has not seen the recent amendment to the recommendations from the department.

- The thrust of this amendment is to act exactly as in 1991, the question he has is what about the changes in the conditions of the laws of the City?

- If changes of conditions are to be discussed, then the full order of changes and conditions need to be discussed.

- The department needs to let the development community understand that when they come before the Commission a year or two from now, they will be required to meet the new levels of mitigations. This statement is not made clear.

**(-) Robert Herr- 350 Bush Street Project and the Bryant Square Project**

- The policy as revised by the Director of Planning and the Zoning Administrator is a sound policy and should be endorsed by the Commission. The language can always be improved.

**(-) Oscar Grande – People Organizing to demand Environmental and Economic Rights (PODER)**

- He hopes that the Commission will take no action and continue this matter to another date in order to bring more people from the community to state their comments.

**(-) Doug Perry – Editor of Organized Labor**

- He is worried about the economy of San Francisco since he is dependent on office building development.

- Given the current state of the economy, it is important not to discourage development because it brings jobs and revenue into the City.

**ACTION:** Approved with final language modifications.

**AYES:** Baltimore, Chinchilla, Fay, Lim, Salinas, Theoharis

**NAYES:** Joe

**MOTION:** 16418

7.

(A. GHOSH: 415-558-6275)

**CITY PARKING POLICY**

Discussion of City's Parking Policy as defined in the Charter, General Plan and Planning Code.

**SPEAKER(S):****(+/-) Sue Hestor**

- There are a couple of issues related to parking: 1) where there is a reduced parking requirement, it gives a benefit to the developer yet nothing goes to MUNI; 2) there should be increased affordability requested on development projects.

**(+/-) Peter Albert – Manager of Planning for San Francisco and Bay Area Rapid Transit system**

- Transit oriented development makes sense for the Bay Area and San Francisco.

- It takes housing, which is very much needed, and links it to transit.

- People need a choice as well, and that is not being provided right now.

- General Plan policies make sense for San Francisco in the right location but parking is at the core of the issues.

**(+/-) David Snyder – San Francisco Bicycle Coalition and Transportation for a Livable City**

- CTLC is a new organization dedicated to connecting land use and transportation and improving transportation for everybody.

- The code needs to be changed to encourage more housing and more affordable housing and change the parking requirements as necessary. This will be just housing for the rich, and poor people will be thrown out of the City in larger numbers than they are now.

- Alternatives are key. MUNI is getting a lot better. The pedestrian advocates are getting stronger. The new NTA is working on a new bicycle plan. Now is the time to look at this.

**(+) Tom Redoulavich – Member of the BART Board of Directors and a Founding Member of San Francisco Housing Action Coalition**

- Staff is headed in the right direction.

- He is happy to encourage the department to do anything that increases ridership on BART.

- The transit system is on the mend in the City.

- The whole transportation picture needs to be looked at.

**ACTION:** Meeting Held. No Action Taken.

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

**SPEAKER(S):***Re: 2141 Chestnut Street***(+) Nissim Lanvadoa –**

- He supports this project because Walgreen's has been a good and long-standing neighbor.

**(-) Alfonso Felder – San Francisco Neighborhood Theater Foundation**

- He is not in support of this project. The majority of the neighbors would like to keep the theatre as a theatre use.

**(-) Jim Maxwell – Marina Merchants Association**

- Over 75% of the Marina Merchants Association is opposed to this project.

**(-) Jack Bair – San Francisco Neighborhood Theatre Foundation**

- He is speaking in favor of saving the Cinema 21 theatre.



**(-) Mary Lester – Pacific Heights/Marina Resident**

- She is in favor of saving the Cinema 21 theatre.

**(+) Pamela Squires – Presidio Inn**

- She owns and operates a family business within a few blocks of this project.
- She is a member of the Marina Merchants Association
- She supports the expansion of the Walgreen's.

**(-) Ned Segal**

- He is not in support of this project.
- There has to be a way to make a movie theatre work here.

**(-) David Sulk – Elmwood Theatre Foundation**

- He was able to save the Elmwood theatre from the wrecking ball.
- He was able to get low interest loans, funding from local people, find an operator, and convert the theatre from a single screen theatre into a large single screen downstairs and two small screens upstairs. The theatre is thriving.

**(-) Ronald Chun**

- He is a life-long resident of San Francisco.
- Saving the theatre will create a nice neighborhood and will preserve the integrity of the neighborhood.

**(-) David Monks – Friends of Noe Valley**

- He is here to support his neighbors in the Marina to try to save the theatre.
- His concerns are that there will be more population, more density and these types of locations will be lost.

**(-) Tom Radulovich – Member of the BART Board of Directors**

- He is here to voice his support for saving the Cinema 21 theatre.

**(-) Steve Kahn – Combined Art Form Entertainment**

- He represents a San Francisco theatre group who has been looking to lease or buy a 10,000 to 15,000 sq. ft. space to develop a theatre, rehearsal and café use.
- It would be a shame to lose this location.

**(-) Brian Chaney – Reel Cinema Group**

- His group has been looking for space to bring a new concept to San Francisco.
- Single-screen theatres are making it. They are located in various cities of the United States.
- He would like the Commission to vote on keeping the Cinema 21 theatre. He has nothing against Walgreen's, but it should stay where it is.

**(-) Bent Hagemark**

- He lives near the theatre as well as two Walgreen's.
- When people come to visit him from out of town, he does not take them to Walgreen's, he takes them to the movies.
- He hopes that the Commission will vote against destroying this theatre.

**(+) Patricia Vaughney – Marina/Cow Hollow Merchant's Association and Marina/Cow Hollow Neighbors in Action**

- She feels that the neighborhood will end up with a vacant building that will be boarded up.

**(+) Ray Kaliski**

- The theatre business is not viable anymore.
- Opening up a Walgreen's will also open up union construction jobs and union retail jobs when completed.

**(+) Jim Reuben – Reuben and Alter**

- This theatre has been closed for more than a year. The issue is not about closing down a vibrant theatre.

**(-) Peter Singh – Vice President of Marina Merchants Association**

- The Commission has a duty to work towards the neighborhoods. This means to try to find something better. There is already a Walgreen's in the neighborhood.

**(-) Eric J. Messersmith, Esq.**

- He lives in the Marina and is quite familiar with the Cinema 21 theatre.
- He is here to support saving the theatre.

**(-) Sal Salma**

- He has owned property on Chestnut Street for over 40 years.



- He is a member of the Marina Merchants Association.
- He has been at the theatre many times. But the theatre business is going down.
- Foot traffic is important on Chestnut Street.

**(-) Denise LaPoint – San Francisco Neighborhood Theatre Foundation**

- The foundation never met with the property owner because they (the property owner) are in an exclusive agreement with Walgreen's.
- She believes that there could be a variety of alternative uses to maintain the space as a theatre. None can move forward until the exclusive agreement expires or if the Commission does not approve this project.

**(-) Davis Bladis**

- Walgreen's provides a great deal of sundries items and he is in support of this project.

*Re: 355 Country Club Drive*

**(-) Merriam Levy**

- The current owners have made everyone believe that they are only remodeling.
- Occupants in five of the homes in the immediate vicinity have cancer. The construction will cause traffic and noise.
- She would like the Commission to vote this project down.

**(-) Jon Pierucci**

- Members of his family have lived on Country Club Drive for over 40 years.
- He is against this project.

**(-) Bruce Selby**

- He and his wife live across the street from the proposed project.
- This huge addition will destroy one of the most attractive aspects of the neighborhood--the symmetry of the neighborhood.
- It will also encourage other people to come in and building monster homes.
- He is also concerned about the neighbors who have cancer and will be affected by the construction.

**(-) Roland Levy**

- He lives near this proposed construction.
- This project violates many sections of the Residential Design Guidelines. For example: 1) neighborhood character; 2) volume and mass; 3) respect for the scale of the neighborhood.
- Only one member of the Commission made a site visit and this same Commission member voted against this project.
- It would be a good idea for the Commissioners to make site visits.
- He hopes that the Commission will vote against this project.

**(-) Cris Manitsas – Lakeshore Acres Improvement Club**

- He is not an immediate neighbor but the proposed development is out of scale with the neighborhood.
- It is important to make a site visit in order to have a 3 dimensional impression of what will actually happen with this addition.

**(+) Steve Vettel – Representing Project Sponsors**

- Today is the first he heard that there were people in the neighborhood who are sick. He is willing to speak to every one of these people to find out what construction conditions would be acceptable to them.
- He described the layout of the construction.

**(-) Ronald Chun**

- He is not in support of this project.
- If this project is approved it would become a great monster home.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED**

8. 2001.1112D (M. WOODS: 415-558-6315)  
 2141 CHESTNUT STREET - south side between Steiner and Pierce Streets, Lots 20 and 21 in Assessor's Block 490 - Requests for Discretionary Review of Building Permit Application No. 2001/1011/0487S, proposing to convert a movie theatre use, formerly

Cinema 21, to a retail sales and services use for Walgreen's in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

**NOTE: On April 18, 2002, following public testimony, the Commission closed the public hearing and entertained two motions: 1) to take Discretionary Review and disapprove the project. The motion failed to carry by a vote +3 -3. Commissioners Chinchilla, Salinas and Theoharis voted No. Commissioner Fay was absent. 2) to take Discretionary Review and Approve with staff recommendation. The motion failed to carry by a vote +3 -3. Commissioners Baltimore, Lim and Joe voted No. Commissioner Fay was absent. The matter was continued at the call of the chair to allow the absent Commissioner to participate in the final action.**

**SPEAKER(S):** None

**ACTION:** Took Discretionary Review and disapproved the project

**AYES:** Baltimore, Joe, Lim, Salinas

**NAYES:** Chinchilla, Fay, Theoharis

9. 2001.0947D (T. WANG: 415-558-6335)

355 COUNTRY CLUB DRIVE - south side near Huntington Drive; Lot 001 in Assessor's Block 7274 - Request for Discretionary Review of Building Permit Application No. 2001/08/21/6532 to construct a second floor vertical addition, at the existing one-story, single-family dwelling in an RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of April 25, 2002)

**NOTE: On April 25, 2002, following public testimony, the Commission closed the public hearing and entertained two motions: 1) to take Discretionary Review and approve the project with no more than a 900 square foot addition. The motion failed to carry by a vote of +2-3. Commissioners Baltimore, Fay and Chinchilla voted No and Commissioners Joe and Lim were absent. 2) to not take Discretionary Review and approve the project as submitted with the elimination of the double doors. The motion failed to carry by a vote of +3-2. Commissioners Salinas and Theoharis voted No and Commissioners Joe and Lim were absent. The matter was then continued to May 30, 2002 at the call of the Chair to allow the absent Commissioners to participate in the final action.**

**SPEAKER(S):** None

**ACTION:** Took Discretionary Review and approved as modified: 1) The proposed second floor addition shall be limited to contain no more than 900 square feet of floor area; 2) The proposed ground floor double entry doors to the dwelling shall be redesigned with a single entry door only.

**AYES:** Joe, Lim, Theoharis, Salinas

**NAYES:** Baltimore, Chinchilla, Fay

**F. REGULAR CALENDAR**

10a. 2002.0314CV (J. PURVIS: 415-558-6354)

4601 3RD STREET - east side between McKinnon and Newcomb Avenues, Assessor's Block 5306, Lots 4 and 29; Request for Conditional Use approval under Planning Code Sections 121.1 and 712.11 for development of a lot of 10,000 square feet or more. The project site is 16,000 square feet. The proposal is to construct a five-story-over-basement building with 53 units of senior housing and approximately 3,100 square feet of ground floor commercial, office community space and non-profit office space. A total of 52 parking spaces would be provided within a basement level garage, replacing all

existing parking on the site, in addition to providing the Code required 11 spaces. The project would additionally require a rear yard modification. The site is within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

(Continued from Regular Meeting of May 23, 2002)

SPEAKER(S):

**(+) James Blanding – President of Providence Foundation of San Francisco**

- He would like to provide housing for the low to very low senior citizens.

- The parking lot of Providence Baptist Church is not utilized completely and that is the reason he would like to build senior housing.

- He has met with various community groups and committees and everyone endorses the project.

**(+) Rev. Calvin Jones**

- This church has been in existence since the 60's.

- Every since then, they have had various forms of construction.

- Housing is now needed for seniors so they can remain in San Francisco.

**(+) Refina Davis – Executive Director of the San Francisco Housing Development Corporation**

- There is condition language that basically says that all funding for the project should be subordinated except 10 percent. This was some left over boiler-plate language that can not apply in this case.

- This project should be a HUD "2 and 2" funded project. HUD requirements call for 100%.

**ACTION:** Approved as Modified: The word senior should be included in the land use description; and subordination language should be modified as requested by HUD.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16419

- 10b. 2002.0314CV (J. PURVIS: 415-558-6354)  
4601 3RD STREET - east side between McKinnon and Newcomb Avenues, Assessor's Block 5306, Lots 4 and 29 - Request for a rear yard modification for the above mixed-use project. Planning Code Section 134(a)(1) requires a rear yard of 25 percent the depth of a lot to be provided at the lowest story containing a dwelling unit, and at each succeeding story of a building. The proposed project would provide a rear yard of comparable size but within a courtyard. Section 134(e) allows for modification of the rear yard standard in certain districts subject to a hearing by the Zoning Administrator. The site is within an NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

(Continued from Regular Meeting of May 23, 2002)

SPEAKER(S): Same as those listed in item 10a.

**ACTION:** Zoning Administrator closed the public hearing and granted the rear yard modification.

## G. DISCRETIONARY REVIEW HEARING

At Approximately **6:05 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

11. 2002.0209D (M.SMITH: 415-558-6322)  
138 28<sup>th</sup> STREET - north side of the street between Dolores and Church Streets, Lot 012A in Assessor's Block 6600, Pursuant to Resolution 16078, a staff initiated request for Discretionary Review of Building Permit Application No. 2001/09/26/9303, proposing to construct a one-story vertical addition and merge four dwelling units into two dwelling units in a two-story over garage, four-unit building located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the merger but allow the vertical addition  
(Continued from Regular Meeting of May 9, 2002)

## SPEAKER(S):

**(+) Bob Actone – Project Architect**

- The current owners would like to merge the units in order to live there a long time and raise a family.
- The building would go through a renovation process and bring it into compliance.

**(+) Tom Cashir**

- He and his partner purchased the property in the fall of 2000 with the intent to merge the two units.
- They are not displacing anyone. This merger will help the density of the neighborhood.

**(+) Natasha Tuck**

- She is the co-owner of the building.
- She and Tom Cashir have been long time renters of San Francisco and they were very excited to purchase a home and build a home for both of them.
- They intended to merge the units when they purchased it.

ACTION: Took Discretionary Review and disapproved the merger but approved the vertical addition.

AYES: Chinchilla, Joe, Lim, Salinas, Theoharis

NAYES: Baltimore

ABSENT: Fay

12. 2002.0523D (M. SMITH: 415-558-6322)  
615 GENNESSEE STREET - west side of the street between Mangels and Melrose Avenues, Lot 006 in Assessor's Block 3066, Staff initiated request for Discretionary Review of Building Permit Application No. 2001/07/31/4899, proposing to demolish the existing two-story over basement single-family dwelling. The applicant has also submitted an application to construct a two-story over garage replacement single-family dwelling that is not subject to the discretionary review. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

## SPEAKER(S):

**(+) Brendan Laylor – Project Sponsor**

- He would like to remain in San Francisco and the only way he can do this is to build his own house.
- None of the neighbors are opposed to the project.

**(+) Joe O'Donaghue**

- There was no opposition to this project so there is no need to have this case before the Commission.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

NAYES: Salinas

ABSENT: Fay



13. 2002.0496D (K. McGEE: 415-558-6367)  
148 HAMILTON STREET - on the west side, between Silliman and Felton Streets, Lot 006 in Assessor's Block 5931, Staff initiated request for Discretionary Review of Demolition Permit Application No. 2001.10.03.9899, proposing to demolish the existing one story over garage dwelling unit and to replace it with a new one story over garage dwelling unit. The subject property is located in an RH-1 (Residential House, Single-Family) District and in a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(+) **Van Lee – Project Architect**

- She is here to answer any questions.

ACTION: Do not take Discretionary Review and approved the demolition.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

14. 2001.1127DD (J. VOLLMANN: (415) 558-6612)  
1738 LAKE STREET - north side between 18th and 19<sup>th</sup> Avenues, Lot 008 in Assessor's Block 1340 - Requests for Discretionary Review of Building Permit Application No. 2002/0509/6231 proposing a three-story addition at the rear and the remodeling of portions of the existing two-story over garage single-family dwelling located in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District. Although the project was originally filed under Demolition and New Construction Building Permit Applications, these were recently withdrawn and replaced by the current Alteration Building Permit Application.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

SPEAKER(S): None

ACTION: Both Discretionary Review requests were withdrawn

- 15a. 2000.702DD (P. VOLLMAN: 415-558-6405)  
2 WALL PLACE - east side, an alley north of Jackson Street between Hyde and Leavenworth Streets; Lot 013B in Assessor's Block 0184 - Staff-initiated request for Discretionary Review of Demolition Permit Application 9918616 to demolish a one story over basement structure containing two legal units of record. The subject property is located in an RM-3 (Residential, Mixed, Medium Density) District and a 65-A Height and Bulk District. The proposed replacement building is also the subject of a Request for Discretionary Review.  
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(-) **Walter Hansell – Cooper, White and Cooper – Representing DR Requestor**

- If this demolition is approved, the new construction will be a three-unit structure which will block light and air to the DR requestor's home.

(-) **Ivy Lee**

- She is speaking for her parents who are DR requestors.

- Loosing light and air coming into her parent's home would be devastating to them.

(+) **Doug Thompson – Thompson Studio Architects**

- The new structure would be in complete compliance with current building and planning codes.

- The proposed project will provide three full size apartments.

- He hopes that the Commission will approve this project.



**(+) Adrienna Song**

- She hopes that the Commission will approve this project because it would be a dream come true for her family.

**(+) Kelvin Song**

- There are signatures of supporters for this project.

- He supports the approval of this project.

**(+) Edward Tang**

- He is here to support the project sponsors.

**(+) Bob Kiyota**

- He supports the approval of this project.

**(+) Joe O'Donaghue – Residential Builders**

- This project should be approved since the entire neighborhood is in support.

**ACTION:** Did not take Discretionary Review and approved the demolition

**AYES:** Baltimore, Joe, Lim, Theoharis

**NAYES:** Salinas

**ABSENT:** Fay, Chinchilla

- 15b. 2000.702DD (P. VOLLMAN: 415-558-6405)  
2 WALL PLACE - Lot 013B in Assessor's Block 0184 - Request for Discretionary Review of Permit Application 9918617 to construct a new three-story over garage building, which would contain three dwelling units of approximately 1,500 square feet each, with three off-street parking spaces. The subject property is located in an RM-3 (Residential, Mixed, Medium Density) District and a 65-A Height and Bulk District. The proposed demolition is also the subject of a Request for Discretionary Review.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

**SPEAKER(S):** Same as those listed in item 15a.

**ACTION:** Did not take Discretionary Review and approved the project.

**AYES:** Baltimore, Joe, Lim, Theoharis

**NAYES:** Salinas

**ABSENT:** Fay, Chinchilla

16. 2002.0472D (T. TAM: 415-558-6325)  
40 & 42 ORD STREET- west side between Saturn and Vulcan Streets, Lot 7 in Assessor's Block 2626. Request for Discretionary Review for Building Permit Application No. 2001/09/20/8804 to demolish an existing two-unit building. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

**SPEAKER(S):**

**(-) Sue Hestor**

- Ord Street is a dead end street.

- When is the Commission going to apply the policy that implemented the Master Plan?

- She believes that this is a bad idea.

**(+) Katie Taylor – Partner with Levy Design Partners**

- She has been working with the neighbors regarding the design of the project.

**(+) Phillip Wietied – Engineer**

- He wrote the soundness report.

- Safety is the criteria for this report.

**(+) Jeff Mondon**

- He is an adjacent neighbor.

- He supports the demolition and the reconstruction of this home.

**(+) Joe O'Donaghue – Residential Builders**

- There is a difference between building inspectors and housing inspectors. He supports this project.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Baltimore, Joe, Lim, Theoharis

NAYES: Salinas

ABSENT: Fay, Chinchilla

17. 2002.0508D (T. TAM: (415) 558-6325)  
4031 19<sup>TH</sup> STREET - south side between Hartford and Noe Streets, Lot 87 in Assessor's Block 3602. Request for Discretionary Review for Building Permit Application No. 2002/05/17/6856 to construct a new two-car garage at the front of the property. The subject property is located in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the plans as submitted.

SPEAKER(S): None

ACTION: Discretionary Review request withdrawn.

18. 2002.0525D (G. CABREROS: 415-558-6169)  
61 COOK STREET - west side between Geary Boulevard and Euclid Avenue, Lot 014 in Assessor's Block 1066. Staff-initiated request for discretionary review of Building Permit Application No. 2000/1109/5333 proposing to demolish a single-family dwelling. A new two-unit, two-story over garage building is proposed to be constructed at the subject property under a separate Building Permit Application. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and disapprove.

SPEAKER(S):

**Joe O'Donaghue**

*Re: Continuance*

- He feels that this project should be continued because there have been major language problems.

ACTION: Without hearing, continued to July 11, 2002.

AYES: Baltimore, Joe, Lim, Salinas, Theoharis

ABSENT: Fay, Chinchilla

19. 2002.0526D (G. CABREROS: 415-558-6169)  
179 16<sup>TH</sup> AVENUE - west side between Lake and California Streets, Lot 017 in Assessor's Block 1376. Staff-initiated request for discretionary review of Building Permit Application No. 2001/1002/9789 proposing to demolish a single-family dwelling. A new two-unit, three-story building is proposed to be constructed at the subject property under a separate Building Permit Application. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

SPEAKER(S):

**(+) Joel Yodowitz – Reuben and Alter – Representing Project Sponsor**

- The only reason this case is before the Commission is because of the demolition. No one in the neighborhood is opposed to the demolition or the reconstruction.

**(+) Joe O'Donaghue – Residential Builders**

- This type of procedure is very painful.

- He hopes that the Commission will approve the demolition.

ACTION: Did not take Discretionary Review and approved project.  
AYES: Baltimore, Joe, Lim, Theoharis  
ABSENT: Fay, Chinchilla, Salinas

20. 2002.0494D (V. MASSEHIAN: 415-558-6363)  
24 BLAKE STREET - east side between Geary Boulevard and Euclid Avenue, Lot 015 in Assessor's Block 1068. Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/05/22/9783, proposing to demolish a building containing two dwelling units (one unit installed without permit). A new two-unit, three-story over garage building is proposed to be constructed at the subject property under a separate Building Permit Application. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

SPEAKER(S):

**(+) William Altrazan – Project Architect and Project Sponsor**

- This project is not sound and requires demolition.

- He hopes that the Commission will approve the demolition.

**(+) Joe O'Donaghue – Residential Builders**

- There is no opposition to this project and it should be approved.

ACTION: Did not take Discretionary Review and approved the demolition.  
AYES: Baltimore, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay, Chinchilla

21. 2002.0473D (S. SANCHEZ: 415-558-6679)  
535 33<sup>rd</sup> AVENUE - west side between Geary Boulevard and Anza Street; Lot 006 in Assessor's Block 1511 - Staff-initiated request for Discretionary Review of Building Permit Application 2001/04/12/6705 proposing to demolish the existing two level single family dwelling (the project also proposes the new construction of a two-unit building under separate permit). The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

**(+) Stan Nichol – Project Sponsor**

- He hopes that the Commission will approve his project.

- It has been a long process and he has spent a lot of money.

- The building is grossly un-inhabitable.

**(+) Joe O'Donaghue – Residential Builders**

- He supports the demolition of this building.

ACTION: Did not take Discretionary Review and approved the demolition  
AYES: Baltimore, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay, Chinchilla

22. 2002.0799D (D. JONES: (415) 558-6477)  
1 GRANDVIEW AVENUE - north side of Grand View Avenue between Grandview Terrace and Stanton Street at Market Street, Lot 011 in Assessor's Block 2715. Staff-initiated request for discretionary review of Building Permit Application No. 2001/06/28/2620 proposing to demolish a single-family dwelling. A new three-story, single-family dwelling is proposed to be constructed at the subject property under a

separate Building Permit Application. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

**(-) Sal Balistreri -**

- He submitted a letter to the Commissioners regarding a number of exhibits that show the proposal.

- There is no building to go in its place so he is not supporting the demolition.

- He feels that the issues need to be solved and a new building needs to be designed before a demolition is approved.

**(+) Warner Schmalls – Project Architect**

- The project is not before the Commission, only the demolition.

- Everything has been moving forward and there are several neighbors who support the project.

- The new building has been downscaled in order to meet the issues of the neighbors.

**(+) Michael Phillips**

- There are 5 neighbors here who are in support of the demolition.

**(+) Sonja Richardson**

- She has worked with the builder and the architect regarding the design of the new construction.

- The project sponsor has done a good job in designing a building that fits the neighborhood.

**(+) Sharon Eastman**

- She supports the demolition.

**(+) Joe O'Donaghue – Residential Builders**

- The structure is not sound in a number of locations.

ACTION: Did not take Discretionary Review and Approved the Demolition

AYES: Baltimore, Joe, Lim, Theoharis

ABSENT: Fay, Chinchilla, Salinas

23. 2002.0530D (D. JONES: (415) 558-6477)  
114 OXFORD STREET - west side of Oxford Street between Silliman and Pioche Streets, Lot 004 in Assessor's Block-5909. Staff-initiated request for discretionary review of Building Permit Application No. 2001/05/30/0240 proposing to demolish a single-family dwelling. A new two-story, single-family dwelling is proposed to be constructed at the subject property under a separate Building Permit Application. The subject property is located in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

**(+) David Ancorn – Associate Pastor of Portola Baptist Church and Project Sponsor**

- He hopes that the Commission will approve the demolition.

- He is available to answer any questions.

**(+) Joe O'Donaghue – Residential Builders**

- This demolition should be approved.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Baltimore, Joe, Lim, Salinas, Theoharis

ABSENT: Fay, Chinchilla

**F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**Sue Hestor**

*Re: Public Comment*

- She would like to have Public Comment at the start of the hearing.

*Re: Residence Element*

- She is very troubled because the Planning Department is a year over due regarding the residence element.

**Joe O'Donaghue**

*Re: Public Comment*

- He would like to have Public Comment at the start of the hearing.

*Re: Demolition Policy*

- This policy has always been a debate.

Adjournment: 8:38 p.m.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF  
THE PLANNING COMMISSION ON THURSDAY, June 27, 2002**

<b>ACTION:</b>	<b>Approved as Corrected</b>
<b>AYES:</b>	<b>Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis</b>
<b>ABSENT:</b>	<b>Fay</b>





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/6/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 6, 2002

1:30 PM  
Regular Meeting

DOCUMENTS DEPT.

JUL 18 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:56 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Adam Light: Glenn Cabrerros; Kelley Amdur; Winslow Hastie; Vahram Massehian; Michael Smith; Dan Sirois; Sara Vellve; Jonathan Purvis; Pete Vollmann; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2002.0157C (M. SNYDER: 415-575-6891)  
20 HERON STREET - northwest corner of Heron Street and Berwick Street, Lot 44 in Assessor's Block 3755, – Request for Conditional Use authorization to install a total of 12 panel antennas, and associated equipment cabinets, as part of a wireless transmission network operated by Verizon Wireless, pursuant to Planning Code Sections 816.73 and 227(h) of the Planning Code. The site is within an SLR (Service / Light Industrial / Residential) District and a 40-X Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 4 Location Site, a wholly commercial building within a South of Market District.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance June 13, 2002)

**SPEAKER(S):** None  
**ACTION:** Continued as Proposed  
**AYES:** Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
**ABSENT:** Baltimore

2. 2002.0279X (M. LUELLEN: 415-558-6478)  
1 FRONT STREET (aka 444 MARKET STREET) - north side of Market Street between Battery and Front Streets, Lot 9 in Assessor's Block 266 - Request under Planning Code Section 309(a)(5) (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception from off-street parking, freight loading and service vehicles requirements (Section 161(i)). This project lies within a C-3-O (Downtown, Office) District and within a 450-S Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance to June 20, 2002)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Baltimore

## B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - draft minutes of May 16, 2002.

SPEAKER(S): None  
ACTION: Approved with typographical corrections  
AYES: Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
ABSENT: Baltimore

4. Commission Matters  
None

## C. DIRECTOR'S REPORT

5. Director's Announcements  
*Re: Audit*

- There is a copy of the final management audit of the Department in each of the Commissioners' packets. Supervisor McGoldrick officially released the final document. The general public can pick up a copy as well.
- There are some helpful suggestions that I will respond to.
- There will be a special hearing on June 13 before the Transportation and Commerce Committee. Members of the public can participate at that time.
- A citizens advisory group will be formed for the purpose of reviewing and implementing recommendations.

*Re: Article in the Chronicle of June 4, 2002*

- This article stated that the Department is violating state law by the way fees are recovered.
- We feel that this article is not accurate.
- The Department is receiving proper consultation from the City Attorney's office about the subject of fees.

SPEAKER(S):  
*Re: Audit*  
Patricia Vaughey

- One place where the Department can be improved is in the BBN records.

*Re: Audit*  
Joe O'Donaghue

- He realizes that there has been a demand on staff and on the Director, yet the Department has not been given the appropriate resources.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS**

*Re: Appeal of Conditional Use Authorization for the California Tennis Clubs*

- The Commission approved this application by a vote of +4-2.
- The Board was concerned about the ability of some Commissioners to vote. The City Attorney responded to that. There was also a question about this project being in compliance with the previous authorization in 1986.
- The item was continued to June 17, 2002.

**SPEAKER(S):**

**Patricia Vaughey**

- She would like to clarify what happened at the meeting: the argument was that the neighbors were saying that the tennis club was acting in bad faith.
- In the 1987 case, the argument was that the parking was to be for the neighbors as well as the tennis club and they (the tennis club) never kept up to their promise.

**BOA**

- Jonas Ionin represented the Zoning Administrator at this hearing.

*Re: 2518 Union Street*

- The Commission took Discretionary Review and made minor changes to the design.
- The Board upheld the Commission's decision and made minor modifications to the changes the Commission made.

- The Zoning Administrator will be on vacation in the next few weeks.

7. Informational Presentation on building height and the review of code provisions regarding measurements.

**SPEAKER(S):** None

**ACTION:** Without hearing, continued at the Call of the Chair to June 13, 2002.

8. 2000.0986X (A. LIGHT: 415-558-6254)  
**150 POWELL STREET** - southeast corner of O'Farrell Street in Assessor's Block 327, Lot 22 - Progress Report on design and development of public art concept as required under Section 149 of the Planning Code and Planning Commission Motion # 16117, for an approved mixed-use office and retail project located in a C-3-R (Downtown, Retail) Zoning District and a 80-130-F Height and Bulk District.  
Preliminary Recommendation: No Action Required

**SPEAKER(S):** None

**ACTION:** No Action Required

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

**SPEAKER(S):**

*Re: 3352 Washington Street*

**Alice Barkley**

- A graphic was used to display what a dormer was.
- The added floor will be an attic but will be habitable.

- She does not believe that the Zoning Administrator's presentation would change a partial 4<sup>th</sup> floor to a dormer.

**Jim Reuben**

- He agrees with the interpretation from the Zoning Administrator regarding the dormer.
- The dumb waiter has been removed from the project.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED**

9. 2001.0739DDDDDD (G. CABREROS: 415-558-6169)  
3352 WASHINGTON STREET - North side between Walnut Street and Presidio Avenue, Lot 011 in Assessor's Block 0984 - Requests for Discretionary Review of Building Permit Application 2000/0616/2818S proposing to construct a dormer, deck and windscreens at roof level, to add a horizontal addition at the rear and to alter both front and rear facades of the existing four-story, single-family house located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve with modifications (Continued from Regular Meeting of May 16, 2002)  
**NOTE: On May 16, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to not take Discretionary Review and approve the project with staff recommendation. The motion failed to carry by a vote, +3 -3. Commissioners Chinchilla, Joe and Baltimore voted No and Commissioner Theoharis was absent. At the call of the chair, the project was continued to June 6, 2002, to allow the absent commissioner to participate in the final action.**

SPEAKER(S): None

MOTION: Take Discretionary Review and approve the project with the removal of the dumb waiter.

AYES: Fay, Salinas, Lim

NAYES: Baltimore, Chinchilla, Joe, Theoharis

RESULT: Motion Failed

ACTION: Took Discretionary Review and disapproved the project.

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

NAYES: Fay, Salinas

10. 2000.790KEXCTZM (K. AMDUR 415-558-6351)  
888 HOWARD STREET (aka 155 5<sup>th</sup> STREET) - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 - **Request pursuant to Section 302(c) and 340 to create a special use district, C-3-S (SU) for the project site.** The creation of the district and the reclassification of the site from C-3-S to C-3-S (SU) requires amendments to the text of the Planning Code, Zoning Map 1, and Map 1 of the Downtown Area Plan. The proposal is to construct a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space. The special use district would increase the maximum FAR allowed without the purchase of Transferable Development Rights (TDR) from 5:1 to 7.5:1. The site is currently zoned C-3-S, which allows a maximum FAR of 7.5:1, but only with the purchase of TDR. The Project also requires approval pursuant to (1) Section 309 (Downtown Review) for determinations of compliance and approval of exceptions, (2) Sections 303 and 216(b) for Conditional Use authorization for a hotel with more than 200 rooms, (3) CEQA findings and (4) approval of amendments to Zoning Map 1H and Map 5 of the Downtown Area Plan related to the proposed rezoning of the project site from 160-F to 320-S.  
 Preliminary Recommendation: Approval of reclassification from 160-F to 320-S, Disapproval of reclassification from C-3-S to C-3-S (SU)



(Continued from Regular Hearing of May 16, 2002)

**Note:** On May 23, 2002, following public testimony, the Commission closed the public hearing and passed a Motion of Intent to approve the creation of a C-3-S (SU) Special Use District and the reclassification of the Project Site from C-3-S to C-3-S (SU). The Motion carried by a vote of +6 -0. Commissioner Chinchilla was absent. The Commission requested staff to revise Special Use District Resolution and present it for Final Action on June 6<sup>th</sup>.

SPEAKER(S): None  
ACTION: Approved  
AYES: Baltimore, Joe, Lim, Salinas, Theoharis  
EXCUSED: Chinchilla, Fay  
RESOLUTION: 16420

11. 2000.790KEXCTZM (K. AMDUR 415-558-6351)  
**888 HOWARD STREET (aka 155 5<sup>th</sup> Street)** - northeast corner of 5<sup>th</sup> and Howard Streets, Lot 66 in Assessor's Block 3724 -- **Request for Determinations of Compliance under Planning Code Section 309 (Downtown Project) and approval of Exceptions**, including an exception to the Reduction of Ground Level Wind Currents requirements (Section 148) and an exception to the Bulk Limits (Sections 270 and 272), for the construction of a 31-story, 320-foot tall hotel building with 430,000 gross square feet, including approximately 572 hotel rooms, 9,200 square feet of restaurant and bar/lounge space, 30,000 square feet of parking (115 valet-operated spaces), 43,800 square feet of meeting and pre-function space, and 12,600 square feet of publicly-accessible open space. The Project also requires CEQA findings and approval pursuant to (1) Sections 303 and 216(b) for Conditional Use authorization for a hotel with more than 200 rooms, (2) Section 302(c) for amendments to the Planning Code and Zoning Maps to change the height, bulk and use districts of the project site (from 160-F to 320-S and from C-3-S to C-3-S (SU)), and (3) Section 340 for approval of amendments to the General Plan related to the proposed rezoning of the project site.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Hearing of May 16, 2002)

**Note:** On May 23, 2002, following public testimony, the Commission closed the public hearing and passed a Motion of Intent to approve the Section 309 application with conditions. The Motion carried by a vote of +4 -2 with Commissioners Fay and Baltimore voting against. Commissioner Chinchilla was absent. The Commission requested staff to revise the Draft Section 309 Motion and present it for Final Action on June 6, 2002.

(On May 23, 2002, the Commission approved the project's three other applications for CEQA findings, conditional use authorization, and a reclassification of the project site from 160-F to 320-S).

SPEAKER(S): None  
ACTION: Approved with Modifications: The modifications consist of three requirements: 1) that the Project Sponsor provide an additional 4,000 square feet of publicly-accessible open space pursuant to Section 138 of the Planning Code and the *Guidelines for Downtown Open Space*, 2) that the Project Sponsor purchase all remaining, available TDR in the C-3-S District and apply it to the project, and 3) that the Project Sponsor make a contribution of at least \$1.145 million towards the preservation of a publicly-owned Landmark building in the downtown C-3 area.  
AYES: Baltimore, Joe, Lim, Salinas, Theoharis  
EXCUSED: Chinchilla, Fay  
RESOLUTION: 16421

**E. REGULAR CALENDAR**

- 12a. 2002.0363XBC (A. LIGHT 415-558-6254)  
150 POWELL STREET, southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16117, Determination of Downtown Compliance under Section 309 of the Planning Code, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
 Preliminary Recommendation: Approval  
 (Continued from Regular Meeting of May 23, 2002)

**SPEAKER(S):****(+) Tim Tosta – Steefel, Levitt and Weiss**

- He urges the Commission to approve the 18 month period since it would provide a better cushion.

**ACTION:** Approved an 18-month extension**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis**MOTION:** 16422

- 12b. 2002.0363XBC (A. LIGHT 415-558-6254)  
150 POWELL STREET, southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16118, Project Authorization for construction of office space under Section 321 of the Planning Code, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
 Preliminary Recommendation: Approval  
 (Continued from Regular Meeting of May 23, 2002)

**SPEAKER(S):** Same as those listed in Item 12a.**ACTION:** Approved an 18-month extension**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis**MOTION:** 16423

- 12c. 2002.0363XBC (A. LIGHT 415-558-6254)  
150 POWELL STREET southeast corner of O'Farrell Street, in Assessor's Block 327, Lot 22. Request for a change to the Conditions of Approval for Planning Commission Motion 16119, Conditional Use Authorization for office use exceeding 5,000 gross square feet in a C-3-R (Downtown, Retail) Zoning District, Condition #1E. The proposed change is to extend the time period prescribed by Condition of Approval #1E for commencement of construction, for an additional 18 months from the currently approved expiration date. The original project approval was for a mixed-use retail and office development containing approximately 41,000 square feet of retail and 40,000 square feet of net new office space. The project site is in a C-3-R (Downtown, Retail) Zoning District, and an 80-130-F Height and Bulk District.  
 Preliminary Recommendation: Approval  
 (Continued from Regular Meeting of May 23, 2002)

SPEAKER(S): Same as those listed in Item 12a.  
ACTION: Approved an 18-month extension  
AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
MOTION: 16424

- 13a. 2001.0494CDV (W. HASTIE: 415-558-6381)  
**1475-79 FOLSOM STREET** – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a Conditional Use authorization pursuant to Sections 803.5(c) and 816.48 of the Planning Code to convert 9,885 square feet at 1475 Folsom from office of design professionals and retail to general office use and to convert 10,361 square feet at 1479 Folsom from office and warehouse to general office; both lots are within a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of May 23, 2002)

SPEAKER(S):

**(+) Jim Reuben – Reuben and Alter**

- The proposed building is very attractive but not very practical.
- The purpose of this application is to find a way that this building can be used.
- He is available for questions.

**(+) Boss Scaggs**

- He has been a tenant for 8 or 10 years.
- He has used this space as a recording studio.
- He would like to request that the construction impact be as minimal as possible since he requires quiet during his recordings.

**(-) Jeffrey Leverberg**

- He is the Manager of Slims nightclub.
- Slims has been at this location since 1988.
- He recently renovated the club and has had a good relationship with the neighbors for 14 years.
- His concerns relate to the impact the construction might have on his club and/or sound checks.

**(-) Joan Holiday – General Manager of Slims**

- Her concerns are that the alley be turned into offices.

**(+) Rob Burnmingham**

- He is the owner of the proposed property.
- There will be no problems with sound checks before 5:00 p.m.

ACTION: Approved with Modifications: attach an affidavit for potential tenants of the office space stating the surrounding uses.  
AYES: Baltimore, Fay, Salinas, Theoharis  
NAYES: Chinchilla, Joe, Lim  
MOTION: 16425

- 13b. 2001.0494CDV (W. HASTIE: 415-558-6381)  
**1475-79 FOLSOM STREET** – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Mandatory Discretionary Review for conversion of existing warehouse to general office use within the Industrial Protection Zone, per Resolution No. 16202. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District. Project includes minor exterior alterations, as well as seismic and ADA upgrades.  
Preliminary Recommendation: Do not take Discretionary Review and Approve the Project with Conditions.  
(Continued from Regular Meeting of May 23, 2002)

SPEAKER(S): Same as those listed in Item 13a.  
 ACTION: Did not take Discretionary Review and approved the project  
 AYES: Baltimore, Fay, Salinas, Theoharis  
 NAYES: Chinchilla, Joe, Lim

- 13c. 2001.0494CDV (W. HASTIE: 415-558-6381)  
1475-79 FOLSOM STREET – (The Jackson Brewery Complex) south side between 10<sup>TH</sup> and 11<sup>TH</sup> Streets. Assessor's Block 3520, Lots 30B & 30C – Request for a parking variance for 5 required parking spaces at 1475 Folsom and 7 required spaces at 1479 Folsom—these parking requirements are based on pre-existing parking credits. The proposal does not provide any parking spaces for this project. Subject lots are located in a SLR (Service/Light Industrial/Residential) zoning district and a 50-X Height and Bulk District.  
 (Continued from Regular Meeting of May 23, 2002)

SPEAKER(S): Same as those listed in item 13a.  
 ACTION: The Zoning Administrator closed the public hearing and granted the variance

14. 2002.0332C (V. MASSEHIAN: 415-558-6363)  
2255-HAYES STREET - south side between Stanyan and Shrader Streets; Lot 011A in Assessor's Block 1213 - Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of twelve panel antennas on the exterior of the existing penthouse (approx. 74 feet 3 inches above the sidewalk level) that will match the color and material of the penthouse, and related equipment at ground level adjacent to the existing seven-story, 62-foot tall (74 feet 3 inches to top of tower), publicly used structure known as the St. Mary's Hospital, as part of AT & T's wireless telecommunications network within an RM-2 (Residential Mixed, Moderate Density) District and a 65-A Height and Bulk District. As per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a publicly-used structure.  
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):  
 (+) **Bill Stevens – ATT Wireless Service**  
 - This location will serve the Haight-Ashbury area as well as the adjacent St. Mary's Campus area.  
 - This is a preference 1 site because it's a publicly used building.  
 - There was a community outreach meeting where 4 people attended.  
 - They received one letter in opposition.  
 - He is available for questions.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16426

15. 2002.0014C (M. SMITH: 415-558-6322)  
257 BROAD STREET - south side of the street between Capitol and Orizaba Avenues, Lot 053 in Assessor's Block 7114- Request for Conditional Use Authorization under Planning Code Section 209.3(c) to construct a residential care facility for 14 elderly people, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions



## SPEAKER(S):

**Dr. James Wu – Project Sponsor**

- The facility will look like and be a residence.
- There will be no parking problems. They have a van but because of the setback there will be no traffic problems.
- There have been no neighborhood complaints.
- He quoted from some letters that are in support of this project.

ACTION: Approved with Conditions good for three years.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

MOTION: 16425

16. 2001.1203C (M. SMITH: 415-558-6322)  
**2001 37<sup>th</sup> AVENUE (aka 2750 RIVERA STREET)** - west side of the street between Ortega & Rivera Streets, Lot 006 in Assessor's Block 2094- Request by Cingular Wireless for Conditional Use Authorization pursuant to Planning Code Section 209.6(b) to install six panel antennas on the rooftop and two equipment cabinets within the existing penthouse of a secondary school building on the Saint Ignatius Preparatory School site located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. The subject property is a Location Preference 1 site according to the Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.  
 Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**Kelley Pepper – Representing Cingular Wireless**

- The purpose of this facility is to serve the outer sunset area.
- The facility will also serve major thoroughfares and business districts
- There was one community meeting held.
- This site is a preference location one.
- She submitted a support letter from St. Ignatious High School.
- (-) **Louis Lokas**
- The notice that the neighbors received was very misleading.
- A lot of the neighbors are concerned with health risks from these antennas.

(-) **Elaine Chin**

- she is against the installation of these antennas because her daughter attends the high school and she is concerned about her health.

(-) **Lisa (did not state last name)**

- She recently purchased a home near the school and is concerned about the health problems she will have because of these antennas.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Lim, Salinas, Theoharis

EXCUSED: Chinchilla

MOTION: 16427

17. 2001.1202C (M. SMITH: 415-558-6322)  
**5200 DIAMOND HEIGHTS BOULEVARD** - southwest corner of Diamond Heights Boulevard and Duncan Street, Lot 001 in Assessor's Block 7521- Request for Conditional Use Authorization under Planning Code Section 209.3(j) to use the existing banquet room on the property of St. Nicholas Orthodox Church for a limited number of non-church related events, located in a RH-1 (D) (Residential, House, One-Family, (Detached)) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions



## SPEAKER(S):

**(+) Father Nicholas Borsgon – Pastor of St. Nicolas Church**

- They are a very traditional community.
- After every ceremony held at the church, the community would like to gather and have a celebration.
- They always extend themselves to their community-at-large and always let the community use their facilities.
- He hopes that the Commission will approve this request.

**(+) Dr. Rene Pitton – Legislative Aid to Supervisor Yee**

- She submitted a letter from Supervisor Yee who is in support of this request.

ACTION: Approved  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis  
 MOTION: 16429

18. 2001.0789C (M. SMITH: 415-558-6322)  
597-599 MONTEREY BOULEVARD - southeast corner of Monterey Boulevard and Foerster Street, Lot 028 in Assessor's Block 3116 - Request by Sprint PCS for Conditional Use Authorization under Planning Code Sections 710.83 to install a wireless telecommunication facility consisting of two antennas mounted near the northwest corner of the rooftop, one GPS antenna mounted to the southeast corner of the rooftop, and five associated equipment cabinets installed within the detached garage of a two-story mixed use building located in a NC-1 (Neighborhood Commercial Cluster) District and a 32-X Height and Bulk District. The subject site is a Limited Preference 6 site according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as it is a mixed-use building in a NC-1 District.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Meeting of May 23, 2002)

## SPEAKER(S):

**(+) Jennifer Estes – Representing Sprint PCS**

- The facility has met the requirements of the WTS Facilities Requirements Guidelines and the San Francisco Municipal Code.
- This is a limited preference 6 site. Sprint has spent many years to try to find a higher preference building.
- This location has areas of limited or no service. This proposed site is necessary because it will serve a high-travelled area.
- There have been community meetings.
- Sprint is willing to provide a thorough health investigation at the home of a resident who is concerned.

**(-) James Holmes**

- He owns the adjacent building to the proposed site.
- He is concerned that he does not know if this will affect his wife who has already had cancer.
- He is also concerned about having access to his roof.

MOTION: Intent to Disapprove  
 AYES: Chinchilla, Theoharis  
 NAYES: Baltimore, Fay, Joe, Lim, Salinas  
 RESULT: Motion Failed  
 ACTION: Approved  
 AYES: Baltimore, Fay, Joe, Lim, Salinas  
 NAYES: Chinchilla, Theoharis  
 MOTION: 16430

19. 2002.0015C (D. SIROIS: 415-558-6313)  
1005-1007 GENEVA AVENUE - north side of Geneva Avenue, between Paris and Lisbon Streets, Lot 013 in Assessor's Block 6408 - Request for Conditional Use authorization to demolish a building containing a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space for the existing business, Apollo Heating, in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular meeting of May 16, 2002)

SPEAKER(S):

(+) **Amad Darizadeh – Project Sponsor**

- This will be a good project for the neighborhood and he hopes the Commission will approve it.

MOTION: Approved  
 AYES: Fay, Joe  
 NAYES: Baltimore, Chinchilla, Lim, Salinas, Theoharis  
 RESULT: Motion Failed  
 ACTION: Intent to Disapprove. Final Language June 20, 2002  
 AYES: Baltimore, Chinchilla, Lim, Salinas, Theoharis  
 NAYES: Fay, Joe

#### F. DISCRETIONARY REVIEW HEARING

At Approximately **5:10 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

20. 2001.0661D (M. SNYDER: 415-575-6891)  
1168 FOLSOM STREET – north side between 8<sup>th</sup> Street and Rausch Street, Lot 123 in Assessor's Block 3730 – Request for Discretionary Review of Building Permit Application No. 2002/02/21/9626 proposing to construct a new building that would contain 20 dwelling units, two commercial units, and 20 parking spaces were a single-story warehouse currently stands, within an SLR (Service/Light Industrial/Residential) District, a 50-X Height and Bulk District, and an Industrial Protection Zone (as designated in Planning Commission Resolution 16202).  
 Preliminary Recommendation: Take Discretionary Review and Disapprove Project.

SPEAKER(S): None  
 ACTION: Without Hearing, continued to July 18, 2002  
 AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

21. 2002.0375D (S. VELLVE: 415-558-6263)  
47 EAGLE STREET - northwest side between Yukon and Mono Streets, Lot 003C in Assessor's Block 2713 - Staff-initiated request for Discretionary Review of Building Permit Application No. 2001/10/15/0027 to convert an existing 2-unit building into 1 dwelling unit. The proposal involves renovation of a 1300 square foot structure and increasing the overall height by 4 feet. The property is located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

## SPEAKER(S):

**(+) Josh Feldman – Project Sponsor**

- He purchased the building as a fixer-upper in order to make repairs to the property.
- The other tenants moved out because they purchased a home in Tiburon.
- He has letters from neighbors who support the conversation.
- He does not know of any neighbors who oppose of the conversion.
- There is only one off-street parking space because the original floor plan was for a single-family home.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

22. 2002.0280D (G. CABREROS: 415-558-6169)  
1734-1738 LOMBARD STREET - north side between Laguna and Octavia Streets, Lot 004 in Assessor's Block 0495 -- Request for Discretionary Review of Building Permit Application Nos. 2001/0831/7341 and 2001/0831/7339 proposing to demolish an existing two-story commercial building (1738 Lombard Street) on the western portion of the lot and to construct a four-story building to contain eight residential units with a garage and commercial space at the ground floor within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

## SPEAKER(S):

**(-) Patrick Mulligan – Discretionary Review Requestor**

- He does not support this project because the proposed project will block light on several of the adjacent properties.

**(-) Ajaz Shaiku**

- He lives on Lombard Street.
- He is concerned about a fence and window that will face his motel.
- He is also concerned about the construction times since people in his motel need to sleep.

**(+) Bruce Bauman – Representing Project Sponsor**

- The proposal is a code complying project.
- The issues stated from the DR requestor are: light and air, height of the building, size of the units, parking and size of commercial. All these issues have been addressed in the brief he submitted.

**(+) Joe O'Donoghue – Residential Builders**

- Lombard Street is a main transit corridor and will be one of the areas that will have high-density housing under Supervisor Leno's and other board member's proposals.
- This is a good project and it should be approved.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

- 23a. 2002.0242D (J. PURVIS: 415-558-6354)  
2422 BAYSHORE BOULEVARD - west side between Leland and Visitacion Avenues, Lot 2A in Assessor's Block 6249 -- Staff Initiated request for Discretionary Review of Building Permit No. 9906291-S proposing to construct a 2-story, single-family dwelling with commercial office space on a 10-foot-wide lot (an additional building is proposed on this same lot with frontage at 23 Desmond Street and is the subject of a separate Discretionary Review), within an NC-3 (Moderate-Scale Neighborhood Commercial) District with a 40-X Height and Bulk designation.  
 Preliminary Recommendation: Take Discretionary Review and disapprove the project.

## SPEAKER(S):

**(+) Hawk Lee – Project Sponsor**

- This lot has been vacant for a while.
- Since 1999 he has been going back and forth to try to get this project approved.
- The Planning Department is making him go around in circles because it's a vacant lot—but the lot is buildable.
- The building will be a rental for low income.

**(-) Gary Chan**

- He would like to have an easement in order to have space to clean and make repairs.

**(-) did not state name**

- He lives on Desmond Street.
- Everyone on the alley is against the project.
- There is an electrical pole and numerous wires. During the storm season, PG&E needs to be able to access these wires.
- There are several sewage lines underground. If there is a house built there, these lines cannot be accessed.
- If this project is approved, all the houses in the area will be devalued.

**(-) Quin Chu Qu**

- He is opposed to this project because he does not want the sewage easement to be blocked because it will need to be accessed for repair and maintenance.

ACTION: Took Discretionary Review and disapproved the project.

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

NAYES: Baltimore

ABSENT: Lim

23b. 2002.1041DD (J. PURVIS: 415-558-6354)

23 DESMOND STREET - east side between Leland and Visitacion Avenues, Lot 2A in Assessor's Block 6249 -- Request for Discretionary Review of Building Permit No. 9906290-S proposing to construct a 2-story, single-family dwelling on a 10-foot-wide lot (an additional building is proposed on this same lot with frontage at 2422 Bayshore Boulevard and is the subject of a separate staff-initiated Discretionary Review), within an NC-2 (Small-Scale Neighborhood Commercial) District with a 40-X Height and Bulk designation.

Preliminary Recommendation: Take Discretionary Review and disapprove the project.

SPEAKER(S): Same as those listed in item 23a.

ACTION: Took Discretionary Review and disapproved the project.

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

NAYES: Baltimore

ABSENT: Lim

24. 2002.0273D (J. PURVIS: 415-558-6354)

366 PENNSYLVANIA STREET - west side between 18<sup>th</sup> and 19<sup>th</sup> Streets; Lot 005 in Assessor's Block 4039: Request for Discretionary Review of Building Permit Application No. 2001/12/20/5739 to construct a second story over the garage level onto an existing one-story-over-garage single-family dwelling in an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

## SPEAKER(S):

**(-) Steve Williams – Representing Discretionary Review Requestor**

- These buildings have stood side-by-side for about 100 years.
- If there are to be substantial additions made to these buildings, one needs to be careful.
- Although they are not protected, they could be on the City's Survey.
- This project violates the residential design guidelines.



- There will be tremendous impacts because there are no windows on the south side.
- The requests from the DR requestors are quite minimal.

**(-) Jerry Peterson – DR Requestor**

- He has great respect for his neighbors and is trying to be reasonable.
- He would just like to ask for minor design adjustments that will eliminate the negative impact on light and air to his home.

**(-) Sandra Peterson**

- She kept a calendar of the dates and times where they have communicated with the project sponsor.
- The neighbors do not support this project.

**(-) Dick Millet**

- He is not in support of this project.

**(-) Ellen Kernigan**

- She has lived on Potrero Hill for 22 years.
- She is upset because the project sponsor will not compromise on minimal changes to this construction.
- She urges the Commission to allow the minimal changes the Peterson's are requesting.

**(+) Alice Barkely**

- She displayed a photograph of the project site.
- All of the windows that face the DR requestors will have translucent glass so there will be no issues of privacy.
- This project is well designed, taking into consideration the neighbors' legitimate concerns.
- She hopes that the Commission will approve this project.

**(+) Joe O'Donoghue**

- The Discretionary Review requestors have the bottom unit as a hotel. This is not correct.

**(+) Angus McCarthy**

- This project deserves approval since the project has a good design.
- He feels that the only issue here is about a property line window.

**(+) Joan Queresca**

- She lives on the same street and there are mixed architectural designs on the block.
- The project sponsor's design does conform with the designs on the block.

**(+) Regan Carroll**

- He grew up on Potrero Hill.
- Potrero Hill is not of a uniform architectural style.
- The subject project meets the residential design guidelines.
- The proposal does meet the context of the surrounding buildings.

**(+) Bruce Bauman**

- He has worked with the Project Sponsor for about 14 years.
- He supports this project.

**(+) Lil Wong**

- She is a neighbor of the project sponsor.
- She supports this project.
- The project sponsor has been very sensitive to the rest of the neighbors.
- The project sponsor could have designed a much larger addition but he is sensitive to everyone.

**(+) Shawn Goreman**

- He has done a lot of neighborhood outreach.
- He loves his house and the neighborhood and would like to remain here.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Baltimore, Chinchilla, Fay, Lim, Theoharis

NAYES: Joe, Salinas



25. 2001.0592D (P. VOLLMANN: 415-558-6405)  
**1331 GREEN STREET** - south side between Polk and Larkin Streets, Lot 021 in Assessor's Block 0549 - Request for Discretionary Review of Building Permit Application Number 2001/03/30/5663 proposal to construct a new single-family dwelling at the front of the subject lot. The lot already contains a single-family dwelling at the rear. The new structure would be two stories, with parking for two cars on the ground floor, within an RM-2 (Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District.

**SPEAKER(S):**

*Re: Continuance*

**Tammy Twarog**

- She submitted a letter requesting a continuance of this item because all relevant issues have not been addressed and all efforts of reaching an agreement have been exhausted.
- She spoke to David Cincotta, the opposing counsel, and at that time, he was agreeable to a continuance.

**David Cincotta**

- He is not in agreement for a continuance.
- He has tried to resolve the issues but there has not been any progress.
- He does not believe that there are any benefits to a continuance.

**Elizabeth Wright**

- She read a letter from Francisco Centurion requesting that the case be continued.

*Re: Merits of the Case*

**(-) Tammy Twarog**

- She lives on Green Street.
- She filed the DR request in connection with various neighbors who are against this project.
- She would like a better way to deal with this.

**(-) Elizabeth Wright**

- She does not support this project.

**(+) David Cincotta – Representing Project Sponsor**

- He has known the project sponsor for many years.
- The project sponsor has been involved in the arts for many years. To suggest that the project sponsor would be insensitive to the memory of a historic and noted San Francisco artist is ludicrous.

**(+) Stephen Goldstein – Project Sponsor**

- He and his wife own the property.
- The DR requestor's claims were that this project would threaten the life of the people that live in the adjacent building. They have tried to supply the neighbors with material from the structural engineers who have done extensive studies of what is required.
- The Building Department will have the advice of one of the best structural engineering firms.
- The garden will be cultivated just as the previous owner has always done.
- Read a letter from Susan D. Martini who is in support of the project.

**(+) Barbara Solomon**

- She is a member of the San Francisco Arts Commission.
- She knew Emma Gene for many years. She knows that the garden will be maintained just as Emma had it.
- The addition of the handsome structure will help and not hurt the garden.
- She is totally in favor of the project.

**(+) Dennis Gallagher**

- He lives on Green Street.
- It is very dense living in that part of the City.
- The addition of a garage and an apartment is more appropriate and is completely in keeping with the place.

- He is in favor of the project.

**(+) Steven Rodgers**

- He owns the six-unit building on Polk Street.

- He is in support of the project because it will be good for the neighborhood. The proposed construction is attractive and will help the property values of the adjacent properties.

- Any improvement to the parking situation on Russian Hill is welcomed.

**(+) Tim Matheson - Engineer**

- He is representing SOHA Engineering

- It is feasible to support the ground without underpinning.

**(+) Emily Keeler**

- She is a tenant in the proposed property.

- She read a letter from Bruce Bigelo who is in support of the project.

**ACTION:** Did not take Discretionary Review and approved the project.

**AYES:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**NONE**

Adjournment: 7:50 P.M.

**THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, June 27, 2002**

**ACTION:** Approved as Corrected

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, June 13, 2002

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

SEP 19 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Fay, Joe, Lim, Salinas, Theoharis

**ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT FAY AT 1:45 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Jean-Paul Samaha; Petterson Vollmann; Jeff Tully; Moses Corette; Jonas Ionin; Kate McGee; Randall Dean; Paul Maltzer; Tina Tam; Leigh Kienker; Dan Sirois; Matt Snyder; Thomas Wang; Kate Simonson; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1051D (D. SIDER: 415-558- 6697)  
480 POTRERO AVENUE - northwest corner of Mariposa Street, Lot 002C in Assessor's Block 3973 - Mandatory Discretionary Review of Building Permit Application Number 2001.11.27.3854, proposing to (1) change the use of an existing industrial building to a 55 unit residential care facility, (2) construct a vertical addition, and (3) perform interior and exterior alterations in an M-1 (Light Industrial) Zoning District, a 65-B Height and Bulk District, and an Industrial Protection Zone as set forth by Planning Commission Policy expressed in Resolution Number 16202. Mandatory Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any permit proposing to change the use of a property within the Mission District.  
Preliminary Recommendation: Pending  
(Proposed for Continuance to June 20, 2002)

**SPEAKER(S):** None

**ACTION:** Continued as Proposed

**AYES:** Baltimore, Fay, Joe, Salinas, Theoharis

**ABSENT:** Chinchilla and Lim

- 2a. 2000.0413DD

(M. WOODS: 415-558-6315)

**226 – 17<sup>TH</sup> AVENUE** - east side between California and Clement Streets, Lot 29A in Assessor's Block 1417 - Staff-initiated request for Discretionary Review of Demolition Permit Application No. 9914684, proposing to demolish a two-story, single-family dwelling. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed replacement building is also the subject of a Request for Discretionary Review.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

**(Proposed for Continuance to September 5, 2002)**

SPEAKER(S): None

ACTION: Continued as Proposed

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

- 2b. **2000.0413DD** (M. WOODS: 415-558-6315)

**226 – 17<sup>TH</sup> AVENUE** - east side between California and Clement Streets, Lot 29A in Assessor's Block 1417 - Request for Discretionary Review of Building Permit Application No. 9114683S, proposing to construct a new three-story building containing two dwelling units. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

**(Proposed for Continuance to September 5, 2002)**

SPEAKER(S): None

ACTION: Continued as Proposed

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

## B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - draft minutes of May 23, 2002.

SPEAKER(S): None

ACTION: Approved with various typographical corrections

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

4. Commission Matters

**Commission Secretary:** On June 20, 2002 there will be a joint hearing with the Park and Rec Commission. This special hearing will begin at 1:30 p.m. and the regular Planning Commission hearing will start at 2:30 p.m.

**Commissioner Theoharis:** There was a case heard last week regarding 366 Pennsylvania Street. She has become extremely concerned about units being rented out as a hotel and not being used properly. She has discovered that not only is there a Pink Pelican but also a Brass Pelican at 26 Teresa Street and that is zoned R-1 and a Green Pelican located at 41 Parsons Street. These are advertised on the Internet at pelicanrentals.com, which are also advertised in Europe.

If this information is correct, then there are several units, which have been taken off the market. These units are violating the unit density and the Planning Code. She would like to know: 1) if these people are paying hotel tax; 2) do they have a business license; 3) are they subject to the City's payroll tax; 4) is San Francisco entitled to a portion of the



sales tax; 5) have they paid sales tax to the Franchise Tax Board; and 6) check with the water department to see if they pay a different rate.

She would also like to have the audit available on the website since it is such a large document.

The Planning Director responded that the audit is available at: [www.sfgov.org/planning](http://www.sfgov.org/planning). Copies will also be available at the Planning Department. Hearings on the audit will be scheduled in the future.

**Commissioner Salinas:** He would like to know whose jurisdiction is it to follow through on the issue of the pelican rentals. What laws have been broken?

**Commissioner Baltimore:** Review the codes related to the height of penthouses. In order for open space to be allowed/legal on the roof or upper levels, it has to be accessible to the disabled. Our codes should be consistent with the building codes in terms of the number of feet necessary. She would like to have staff outline the necessary changes in order to go through the appropriate Commissions for code change.

## C. DIRECTOR'S REPORT

### 5. Director's Announcements

1) The Director announced that today he is also the Acting Zoning Administrator while Mr. Badiner is on vacation.

2) He responded to the question Commissioner Salinas asked.

The property has to be in compliance with the Planning Code as well as the Municipal Code. The jurisdiction is of the Planning Department when it has to do with use and how a dwelling unit is being used. The Planning Department will be looking into this. If there are issues related to the Building Code, this matter will also be referred to the appropriate departments.

### 6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals **BOS –**

*Re: 3224-3252 Pierce Street – Conditional Use Application for an antenna*

– This item was continued without hearing to June 17, 2002.

### **Transportation and Commerce Committees**

*Re: Performance audit of the Planning Department and Planning Commission*

- This morning he (the Director) attended the hearing regarding the performance audit.

- Supervisor McGoldrick is calling for a working group and has acknowledged that this would be the first of many hearings.

- Many people who spoke at that hearing showed their support for the Planning Department.

### **BOA**

- Jonas Ionin represented the Zoning Administrator at this hearing.

*Re: Edgehill Way and 2518 Union Street*

- Only the final language and findings was before the Board on these cases.

*Re: 51-55 Vicksburg*

- This was a staff-initiated Discretionary Review for a dwelling unit merger from 3 units to 1. The Commission approved this merger. It was appealed and the Board voted +5 -0 to overrule the Commission's action.



7. Informational presentation on building height and the review of code provisions regarding measurements.

**(+) Joe Cassidy**

- He is in favor of a height increase.

**(+) Alice Barkley**

- She is in favor of a height increase.
- She would like the Commission to act on this very quickly.
- She would like to have legislation written right away.
- Many projects are stopped because of this situation.

**(+) Joe O'Donaghue – Residential Builders**

- He is in favor of a height increase.

**(+) Shawn Gorman**

- He is in favor of an elevator penthouse and/or access to the roof.
- He encourages the Commission to act on this issue as soon as possible.

ACTION: Informational only. No Action Required.

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

*Re: 292 Ivy Street*

**(+) Charles Olson – Sanger and Olson – Representing Project Sponsor**

- He submitted additional language for this project.
- He requests that the modified approval language allows slightly more time than the staff recommendation to commence construction of the residential units.
- Max Limited has every intention of providing the residential units.
- He requests consideration of modified language and if the Commission cannot agree on a decision due to absences, that this case be continued to next week's hearing.

**(+) Peter Hadjaris – Representing Discretionary Review Requestor**

- The only new development was that his client was locked out of his premises and they (the sponsors) were ordered by the bankruptcy court to let him back into his premises.

**(-) Larry Roberts – Office of Matt Gonzalez**

- He would like to point out that this district has special zoning. There is a need for housing here.
- It may be appropriate to ask for a continuance since the full Commission is not here.

**(-) Pam Pester – Senn, Palumbo, Meulemans, LLP - Representing Max Limited**

- There are about 20 banker's boxes full of litigation material on this case.
- There has always been an intention to build residential units.
- There is no fraud going on.

**(-) Deborah Chohrty – One of the Principals of Max Limited**

- Regarding the statements made that they had tried to lock out Mr. Elder. This is not true.
- They had three break-ins and were trying to reduce the amount of break-ins to the property.

**(+) Leslie Katz**

- She is quite familiar with the building.
- There is every intent that the housing will be built.
- She hopes that the Commission will allow this project to go forward.

**(-) Muldooh Elder – Vorpall Gallery**

- There have been many misconceptions spoken.
- He would like the case to be continued until there is a full Commission.

**(-) Joe O'Donaghue – Residential Builders**

- The art gallery of Mr. Elder is a prime gallery.

- He is very familiar with this building.
- He hopes that the Commission will not approve this project.

#### E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

8. 2002.0191D (P. VOLLMANN: 415-558-6405)  
292 IVY STREET - at the southeast corner of the intersection at Gough and Grove Streets, Lot 014 in Assessor's Block 0809 - Discretionary review request of Building Permit Application number 2001/12/28/6038, to legalize a seven stall parking garage on Ivy Street, in the Hayes Gough NCD, and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve parking with requirement to build dwelling units.  
**NOTE:** On May 16, 2002, following public testimony the Commission closed the public hearing and entertained two motions: 1) Take Discretionary Review and approve parking with requirement to build dwelling units. The motion failed to carry by a vote +2 -4. Commissioners Lim, Fay, Baltimore, and Chinchilla voted no. Commissioner Theoharis was absent. 2) Take Discretionary Review and disapprove the excess parking element of the project. The motion failed to carry by a vote +3 -3. Commissioners Salinas, Joe, and Baltimore voted no. Commissioner Theoharis was absent. At the call of the Chair, this matter was continued to June 13, 2002, to allow the absent commissioner to participate in the final action.

SPEAKER(S): None

ACTION: Without hearing. Continued to June 27, 2002.

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

#### F. REGULAR CALENDAR

9. (TULLY: 415-558-6372)  
CENTRAL WATERFRONT CULTURAL RESOURCE SURVEY - Public hearing and consideration of adoption of a motion to endorse the Central Waterfront Cultural Resource Survey (California Department of Parks and Recreation Survey Form DPR 523B-*evaluative*) and resources held out from consideration because of owner objection. The Planning Department re-noticed all property owners within the Central Waterfront Survey boundaries on April 12, 2002 through May 13, 2002. As a result, eight (8) objections were received and heard by the Landmarks Preservation Advisory Board at two meetings - May 15 and June 5, 2002. The Central Waterfront Cultural Resource Survey documented 140 buildings, structures, sites and objects in Block/Lots: Block 3941; 3942/2, 3; 3943/3; 3944/4; 3992/2; 3994/1B, 1C, 2, 3; 3995/7, 15; 3996/ 4-6, 15, 18; 3997/3; 3998/17-18; 4042/2; 4043/12A, 13, 16; 4044/2A, 2-4; 4045/2; 4046/1; 4052/1; 4058/5, 9-10; 4059/1A, 1B, 1C, 2B, 9; 4105/9; 4108/3, 3A, 3B, 3D, 3F, 3J, 3M, 3N, 3O, 3R; 4109/1; 4111/1; 4172/3-5, 7, 15-16, 18-21; 4173/1; 4227/31; 4228/10; 4229/2-4; 4231/2; 4241/2-4; 4244/3-4; 4245/1-2; 4246/1; 4247/2; 4296/5; 4310/3; 4314/1A; 4316/2; 4352/7; 4353/9; 4355/6; 4357/3; 4358/7, 9; 4377/1; 4378/6; 9900/1, 68, 70, 84. 1155-63 Tennessee, Block 4172/04 was surveyed as part of the Dogpatch Cultural Resource Survey endorsed by the Planning Commission at its December 13, 2001 meeting, but was held out of that endorsement because of owner objection.  
 Preliminary Recommendation: Adopt a motion to endorse the Central Waterfront Cultural Resource Survey (California Department of Parks and Recreation Survey Form DPR 523B-*evaluative*) and (California Department of Parks and Recreation Survey Form DPR 523A-*descriptive* and DPR 523B-*evaluative*) on the following held out properties: 3201 3<sup>rd</sup> Street, Bayshore Cutoff Tunnels No. 1 and 2, 1155-1161-1163 Tennessee, 580 and 600 Minnesota Street, 2230 Third Street, 815-825 Tennessee Street, 651 Illinois and Piers 68 and 70 Wharves.

**Note:** On December 13, 2001, following public testimony, the Commission closed the public hearing, the Commission passed a motion to endorse the Central Waterfront Cultural Resource Survey (California Department of Parks and Recreation Survey Form DPR 523A-descriptive) and Context Statement for all resources contained within the Central Waterfront survey boundaries with the exception of 3201 3<sup>rd</sup> Street, 651 Illinois, 590 Minnesota, 690-698 Minnesota, 2085 Third Street, and 1155-1163 Tennessee, which were held out because of owner objection to the survey findings. The motion carried +5 -0. Commissioner Baltimore was absent and Commissioner Salinas as excused. At the call of the chair, the Planning Commission directed the Planning Department to re-notice all property owners within the Central Waterfront Survey boundaries and to return to the Planning Commission for consideration of endorsement of (California Department of Parks and Recreation Survey Form DPR 523B-evaluative) for all resources within the Central Waterfront survey boundaries. Per the Chair's instructions, the public hearing for this matter is open.

**SPEAKER(S):**

**(-) Tay Via – Coblentz - Patch, Duffy and Bass – Representing the property owner of 600 Minnesota Street**

- She would like the Commission to change the designation from 3D to 5S3.
- She does not believe that this should be designated as a district since it is not a district.

**(-) Christopher Verplanck – Page and Turnbull**

- The designation of 3D is not correct and should be changed to 5S3 since it's more appropriate for 600 Minnesota Street.

**(+) Mark Ryser – Board of Directors of San Francisco Beautiful**

- This fundamental program is of critical importance and hopes that the Commission will approve this project.

**(+) Tim Kelley – President of the Landmark's Board.**

- He urges the Commission to bring this survey forward.

**(-) Regan Carroll – The Redlands Group, Inc.**

- He was the only property owner of the Dogpatch Survey who was re-noticed.
- Dogpatch should have been a separate item number for the Commission's consideration.
- His issues relate to improper notification of this project.

**(-) Shawn Gorman – The Redlands Group, Inc. and Gee Architects**

- The Department will use this survey for permits on the affected properties.
- This survey has circumvented the public process for the designation of historic places and buildings. It sets a bad precedent for surveys of this nature.

**ACTION:** Approved

**AYES:** Baltimore, Fay, Joe, Salinas, Theoharis

**ABSENT:** Chinchilla and Lim

**MOTION:** 16431

10. 2002.0408C (J. IONIN: 415-558-6309)  
**2863 CALIFORNIA STREET** - Assessor's Block 1028, Lot 023 - Request for Conditional Use Authorization under Planning Code Section 161(j) for an exemption from the residential parking requirement. The Proposal is to demolish an existing two-story commercial building with approximately 4,450 square feet in total gross floor area and construct a new three-story 40-foot tall building with approximately 8,525 square feet in total gross floor area. There would be approximately 3,500 square feet of ground-floor commercial and four residential units above. Conditional Use Authorization is sought to construct the Project without the required four off-street parking spaces for the residential units. No parking is required for the commercial space. The project lies within a Small-Scale Neighborhood Commercial (NC-2) District and within the 40-X Height and Bulk District.



Preliminary Recommendation: Approval with Conditions

*Re: Request for Continuance*

**Gary Wilson**

- He just found out about the continuance yesterday.
- There are a number of people here to testify so he is not in agreement with the continuance.
- He has petitions that are opposed to this project.
- This matter should be heard and decided upon today.

**Dan Sullivan – Representing Project Sponsor**

- He tried his best to notify as many people as possible regarding the continuance.
- He would like a continuance in order to have a full Commission.

**Courtney Clarkson**

- She is not in agreement with the continuance since she was under the impression that the matter today was about parking only and not about the entire project.

**Sylvia Dworkin**

- She is not in agreement with the continuance since she doesn't understand why the other side is asking for this continuance.

*Re: Merits of the Case*

**(-) Carol Molloy**

- She lives on California Street.
- The neighborhood is being decimated in regards to parking.
- She does not support this project.

**(-) Peter Dworkin**

- He lives on Pine Street.
- If this project is approved, there would actually be parking removed.
- He thinks that it is unfair for the Commission to approve projects without parking.
- He supports a new building in the neighborhood but it should be appropriate and reasonable.

**(-) Sarah Morse**

- She is against the proposed project because she is concerned about parking.
- The parking is really bad in this neighborhood.

**(-) Sylvia Raab Dworkin**

- The parking in the neighborhood is really bad.
- There are a lot of businesses in the neighborhood that have deliveries during the day—this leads to double parking.

**ACTION:** Continued to June 20, 2002. Public hearing remains open.

**AYES:** Baltimore, Fay, Joe, Salinas, Theoharis

**ABSENT:** Chinchilla and Lim

11. 2002.0350C (K. McGEE: 415-558-6367)  
**915 FOLSOM STREET** - east side, between 5<sup>th</sup> and 6<sup>th</sup> Streets; Lot 145 in Assessor's Block 3753 - Request for Conditional Use Authorization per Planning Code Section 815.73 to remove 1 panel antenna and to install 3 new panel antennas and one new equipment cabinet for Cingular Wireless. The subject property is located in an RSD (Residential/Service Mixed Use District) Zoning District, a 40-X, 85-B Height and Bulk District, and is in the South of Market Earthquake Recovery Special Use District. The subject property is a Preference 5 Location (mixed use buildings in high density districts). Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):**

**(+) Kelley Pepper – Representing Cingular Wireless**

- The purpose of this site is to provide in-building coverage between 3<sup>rd</sup> and 7<sup>th</sup> Streets and between Mission and Bryant Streets.

- Users are experiencing dropped calls and call blocking in this area.
- Although this site is a location preference 5, the subject building provides the necessary height since most of the surrounding sites are lower and others are vacant.
- There was a community meeting and no one attended. She is not aware of any opposition.

(-) **Doug Loerenger – Representing SNAFU**

- There are 340 thousand cell phone users in San Francisco. There are still a few people without cell phones.
- They say that it is impossible for wireless companies to share cell phone antennas. He does not believe this is true. Even though there is an existing antenna, other cell phone carriers have the option of sharing antennas.
- There are people living in this building and this can pose a health threat for them.

MOTION: Disapprove

RESULT: Motion failed because of a lack of a second.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Salinas

NAYES: Theoharis

ABSENT: Chinchilla and Lim

MOTION No: 16432

12. 2000.1058E (R. DEAN: 415-558-5980)  
1598 DOLORES STREET (aka REILLY'S FUNERAL HOME) - located at the northwest corner of Dolores and 29<sup>th</sup> Streets; Assessor's Block 6618; Lots 7, 9, 38. **Appeal of a Preliminary Negative Declaration.** The proposed construction consists of two, four-story residential buildings with a total of 13 units and demolition of an existing two-story mortuary building. The project would provide 13 off-street parking spaces. The proposed project site is 10,500 sq. ft. and is located in the NC-1 (Neighborhood Commercial Cluster) District. The project would require Conditional Use Authorization by the City Planning Commission.  
Preliminary Recommendation: Uphold Preliminary Negative Declaration  
(Continued from Regular Meeting May 24, 2001.)

SPEAKER(S): None

ACTION: Without hearing, continued to June 20, 2002

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

13. 2000.1058CE (T. TAM: 415-558-6325)  
1598 DOLORES STREET (aka REILLY'S FUNERAL HOME) - northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38 in Assessor's Block 6618 - Request for a Conditional Use authorization pursuant to Planning Code Sections 121.1 and 710.11 for development on lot size greater than 5,000 square feet in an NC-1 (Neighborhood, Commercial, Cluster) District. The proposal also requires a modification to the rear yard requirement as allowed under Planning Code Section 134(e).  
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, continued to June 20, 2002

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

14. 2001.1126ECV (L. KIENKER: 415-558-5970)  
965-985 GENEVA AVENUE & 852 PARIS STREET (aka APOLLO THEATRE) - north side of Geneva Avenue, between Paris Street and London Street, Lots 5-10 on



Assessor's Block 6409. **Appeal of a Preliminary Negative Declaration.** The proposed construction consists of 28,277 gross-square-feet (gsf) of commercial/office/residential uses within the existing building envelope of a vacant theater, with a total of two ground floor retail, two second floor office, and eight third floor residential units. The project would provide one off-street loading space and no other parking. The project site is 15,044 sq. ft. and is located in the NC-3 (Neighborhood Commercial Moderate-Scale) District. The project would require Conditional Use Authorization by the San Francisco Planning Commission and a Variance for rear yard requirements.  
 Preliminary Recommendation: Uphold Preliminary Negative Declaration  
 (Continued from Regular Meeting May 23, 2002).

**SPEAKER(S):**

**(-) Ead Nasrah – Appellant**

- He read the negative declaration and does not agree with it. He has been a business owner on Geneva Street for the past twelve years and has seen how bad the traffic problems area.
- People who come to this neighborhood, come to the businesses and leave. If there is no parking, they will leave and patronize another neighborhood's business.
- People are not going to take public transportation to purchase something at the hardware store. They will drive to the hardware store, make their purchase and leave. Not everyone is going to take public transportation.

**(-) Dorothy Ann Jones**

- She does not agree with the negative declaration because it does not address the parking problems. She is not against housing.

**(-) Carol Rooney**

- She has lived in the Excelsior District for 18 years.
- She is not in agreement with constructing housing without parking.
- Something should be built at this location but it should be intelligently done.

**(+) David Hooper – New Mission Terrace Improvement Association**

- This association does support the development because the economic viability of Mission Street and Geneva Street is very important.

**(-) Dexter J. Massoletti – Member of ACORN**

- He lives a block away from the Apollo Theatre.
- He is not in agreement with the Negative Declaration because it needs to have a clear study of the traffic problems.

**(-) Tom Orzechowski**

- The Negative Declaration is not complete and the project is out of scale with the neighborhood.

**(+) Lawrence Lee – Project Sponsor**

- There are about 2,000 signatures supporting this project.
- There is plenty of parking along the side streets.
- The real concern seems to be about competition with the other businesses.
- He agrees with the recommendation and would like to have the negative declaration upheld.

**(+) Steven R. Currier – OMRA**

- The Geneva area is one of the most important traffic corridors.
- He believes that the Planning Department has done an exquisite job on this report.

**ACTION:** Negative Declaration Upheld  
**AYES:** Baltimore, Fay, Joe, Salinas, Theoharis  
**ABSENT:** Chinchilla and Lim  
**MOTION:** 16433

- 15a. 2001.1126CV (D. SIROIS: 415-558-6313)  
965-985 GENEVA AVENUE & 852 PARIS STREET (aka APOLLO THEATRE) - north side of Geneva Avenue, between Paris Street and London Street, Lots 5-10 on

Assessor's Block 6409 - Request for conditional use authorization to merge 6 lots into one lot greater than 9,999 square feet pursuant to Planning Code Section 712.11; to allow Walgreen's Pharmacy to occupy commercial space on the ground floor and in a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21; and to allow the construction of 8 residential units without the required off-street parking pursuant to Section 161(j). There is also a request for a rear yard variance pursuant to Section 134. The Project Site is located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Lawrence Lee – Project Sponsor**

- He is not a developer so would like to thank staff for guiding him throughout this procedure.
- This project will benefit the community and fill a need.
- Most of the neighborhood is in support of this project.
- The project has merit and is consistent to the General Plan.

**(-) Mrs. Blanch G. Simons**

- She has lived on Geneva Avenue since 1937.
- The parking is bad in the area.
- She is not supportive of having a Walgreens in the neighborhood.

**(+) Michael Yamauchi – Project Sponsor**

- He is asking the Zoning Administrator to grant the rear yard variance.

**(+) Tiffany Nguyen – Project Sponsor**

- When they purchased the property, they went around and asked the neighborhood what it was they wanted. The consensus was: housing, office space, and anchor tenants.
- The only response was from Walgreens.
- They also met with the major neighborhood associations of the area.

**(+) Dennis Chu – Project Sponsor**

- They have over 2,000 signatures of immediate neighbors that support this project.
- He asks the Commission to make a careful decision and work with them by approving this project.
- This locale has been vacant for many years and it needs life.

**(+) Calvin Yee – Project Sponsor**

- Walgreens will bring customers to nearby businesses.
- Businesses will be more profitable.
- Walgreens will be doing prescriptions in 8 languages.
- The neighborhood really wants this project to happen.

**(+) Raymond Lau**

- He believes that Walgreens at this location will benefit the neighborhoods.
- This project will revitalize the area.
- Local groups have been working diligently cleaning the area.
- He hopes that the Commission will approve the building.

**(+) Robert Greco - OMRA**

- He lives about eight houses away and does not have any parking problems
- He is in support of the project.

**(+) Karen Hemer**

- She lives near the site.
- There are no chain stores in the neighborhood.
- There are a lot of small businesses.
- She is in support of the project.

**(+) Sheila Pacheco**

- She has been a resident since 1958.
- She has seen many changes in the neighborhood.
- Walgreens will be an asset to the Apollo complex and will bring foot traffic.

**(+) Barbara Cannizzo - OMRA**

- She has been a resident of this neighborhood for 30 or more years.
- The owners of this property have done a lot of good in this area.
- She supports Walgreens coming into the area.

**(+) Catherine Pacheco – Outer Mission Residents Association**

- She has lived in this area for her entire life.
- A new Walgreens will bring foot traffic and benefit the smaller businesses.

**(+) Wayne Hemer**

- He lives near the proposed project site.
- He hopes that the Commission will approve this project.

**(+) Daniel Woodward – Outer Mission Residents Association**

- He lives and owns a business in the area.
- Walgreens is what the neighborhood needs.

**(+) Linda Harte - Outer Mission Residents Association**

- She lives two blocks away from the proposed project.
- She knows about parking in San Francisco yet parking in this neighborhood is not that bad.
- She supports Walgreens coming to this neighborhood because it will provide a lot to the community.

**(+) Victoria Durmeg – Outer Mission Residents Association**

- She lives about two blocks from the proposed site.
- She does not see any parking problems and there are 8 MUNI bus lines that run through the neighborhood.
- She supports the Walgreens project.

**(+) Steven Currier - OMRA**

- His association supports this project completely.

**(+) Luz de Leon**

- She lives near the project.
- The area is very convenient to shop in.
- She supports this project because Walgreens will be closer to her.

**(-) Elsie Tonelli – Central Drug**

- She has a business in the Excelsior District.
- There is no parking problem now because there is no Walgreens there now.
- This project will cause problems.

**(-) George Nasrah**

- There are a number of Walgreens in the surrounding areas.
- They were offered to be bought out before and they refused.
- He is not in support of this project because it will close down the smaller businesses.

**(-) Dexter J. Massoletti – Member of ACORN**

- He is not in support of Walgreens coming into the neighborhood.

**(-) Barbara Bayer**

- She lives about 4 blocks from the project.
- It is difficult for her to find parking in the area.
- There are too many Walgreens in the area.

**(-) Rosemary De Gregorio**

- She has lived in the area for 45 years.
- There are many Walgreens in the surrounding area.
- She feels that the Commission needs to do more homework before they approve this project.

**(-) Elias Shamieh**

- He is not in support of this project.

**(-) Adol Nasrah**

- He would like to eventually work in his family's pharmacy.
- He does not support this project.

**(-) Ed Nasrah – Daniel's Pharmacy**

- Walgreens has almost doubled its stores.
- Small businesses need to remain.
- He does not support this project.

**(-) Joanna Nasrah**

- Her husband owns Daniel's Pharmacy and works really hard to keep the business going.

- She would not like to have their business threatened because of Walgreens.

**(-) Daniel Fierini**

- He does not support Walgreens in the neighborhood.

**(-) Mandolin Nasrah**

- There are 56 Walgreens in San Francisco and this area does not need another one.

**(-) Stephen Marin**

- It is very difficult to find parking in the area.

- He is not against Walgreens, he is just concerned about the traffic impact the store will have.

**(-) George Totah**

- He does support the housing of the project.

- He would rather have three other smaller independent businesses open in the place where Walgreens would be.

MOTION: Approve  
 AYES: Fay, Salinas, Theoharis  
 NAYES: Baltimore and Joe  
 ABSENT: Chinchilla and Lim  
 RESULT: Motion Failed

ACTION: Continued at the Call of the Chair to June 27, 2002 to allow absent commissioners to participate.

- 15b. 2001.1125CV (D. SIROIS: 415-558-6313)  
965-985 GENEVA AVENUE & 852 PARIS STREET (aka APOLLO THEATER) - north side of Geneva Avenue, between Paris and London Street, Lots 5-10 on Assessor's Block 6409 - Request for rear yard variance pursuant to Planning Code Section 134 to allow the new third floor to be occupied by residential units without providing the required rear yard at the residential level. The Project Site is located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family District in a 40-X Height and Bulk District

SPEAKER(S): Same as those listed in item 15a.

ACTION: The Acting Zoning Administrator closed the public hearing and continued matter to June 27, 2002.

16. 2002.0157C (M. SNYDER: 415-575-6891)  
20 HERON STREET - northwest corner of Heron Street and Berwick Street, Lot 44 in Assessor's Block 3755 - Request for Conditional Use authorization to install a total of 12 panel antennas, and associated equipment cabinets, as part of a wireless transmission network operated by Verizon Wireless, pursuant to Planning Code Sections 816.73 and 227(h). The site is within an SLR (Service/Light Industrial/Residential) District and a 40-X Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 4 Location Site, a wholly commercial building within a South of Market District.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of June 6, 2002)



## SPEAKER(S):

**(+) Arlon Nichol – Project Sponsor**

- The antennas will be non intrusive since they will be painted the same color as the building.
- Community informational meetings were held.
- He hopes that the Commission will approve this project.

ACTION: Approved

AYES: Baltimore, Fay, Joe, Theoharis

NAYES: Salinas

ABSENT: Chinchilla and Lim

MOTION: 16434

**E. DISCRETIONARY REVIEW HEARING**

At Approximately **7:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

17. 2002.0072D (D. SIROIS: 415-558-6313)  
**1512 LA PLAYA** - 1512 La Playa- east side of La Playa, between Kirkham and Lawton, Lot 039A, Assessor's Block 1894 – Request for Discretionary Review of Building Permit Application No. 2001/1128/4105 to construct vertical (1-story) and horizontal (17-feet, 6-inches) extensions, and the addition of a 3<sup>rd</sup> dwelling unit to the existing 2-unit building. The project site is located in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District within the Coastal Zone Permit Area.  
 Recommendation: Take Discretionary Review and approve with modifications

## SPEAKER(S):

**(-) Anthony C. Villa**

- He knows that this project is allowable by the Planning Department and the Planning Code yet it's not in the best interest of the surrounding neighbors.
- With a model, he described how the proposed construction will impact the light and air coming into his home.

**(-) Mary Dunn**

- She has been a next-door neighbor for 27 years.
- Her issues relate to open space since there is not much open space in the block.

**(-) Alfred Stanley**

- His back yard is to the north of the proposed project.
- This project will block sunlight to his home and will cause an impact on the street parking.
- He submitted a letter from a neighbor who could not attend the meeting but is opposed to the project.

**(-) Kathleen McKenzie**

- She lives two homes down from the proposed project.
- She is not against people making additions to their homes but it should not impact the neighbors or devalue their homes.
- She would like to have this project scaled down.

**(+) David Silverman – Representing Project Sponsor**

- The project sponsor has offered to install a skylight in the DR requestor's home.
- The home is proposed for rental housing.

ACTION: Took Discretionary Review and approved with modifications: 1) keep building at 56'-length of existing building and allow an exiting feature; 2) eliminate the 12' pop out on the ground floor.

AYES: Baltimore, Fay, Joe, Salinas, Theoharis



18. ABSENT: Chinchilla and Lim  
 2002.0556DD (T. WANG: 415-558-6335)  
 2670 47<sup>TH</sup> AVENUE - eastside between Vicente and Wawona Streets; Lot 022 in Assessor's Block 2450 - Request of Discretionary Review of Building Permit Application No. 2002/01/09/6578 to construct a two-story addition at rear of the existing one-story over garage, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

## SPEAKER(S):

**(-) Hanson Lee – 1<sup>st</sup> Discretionary Review Requestor**

- His concerns relate to: sunlight and over population and its affect on parking and traffic.

**(-) Ian O'Donnell – 2<sup>nd</sup> Discretionary Review Requestor**

- His concerns are similar to those of the 1<sup>st</sup> DR requestor.
- He is also concerned that there will be two entries to the house. There is no need for two entries in a single-family house.

**(-) Ian Lamay**

- He has been living on this block for over 12 years.
- There have been a lot of neighbors who have come into the neighborhood that have really improved the neighborhood.
- His concern is related to over crowdedness.

**(-) Elsa Lamay**

- She opposes the proposed construction because this will set a precedent for future construction and the congestion and parking problems this will cause.

**(-) Teresa Serie**

- She is concerned about how many people will be living in this building and the parking problems this may cause.

**(-) Eric Lee**

- His parents live in the neighborhood.
- He is concerned about the characteristics of the design and the parking and traffic problems this will cause.

**(-) Helen Wang**

- She lives adjacent to the proposed project.
- She grew up in her house and the proposed project will cause a negative impact on her home.

**(-) Yin Chen Tai**

- She read a letter from a neighbor who was not able to attend the hearing and is opposed to the project.

**(+) Jeremy Paul – Representing Project Sponsor**

- He came late to the project in the timeline process.
- The project sponsor has limited English skills so this is one of the reasons he could not communicate with his neighbors.
- Regarding parking, the square footage of the house is being increased to make this house livable--that is why a parking space has been provided in the design.

MOTION 1: Take Discretionary Review and Disapprove the Project

AYES: Salinas

NAYES: Theoharis, Fay, Joe, Baltimore

ABSENT: Chinchilla and Lim

RESULT: Motion Failed

ACTION 2: Take Discretionary Review and Approve with Modifications: 1) eliminate a bathroom; 2) construct an additional internal staircase; 3) reducing depth of the proposed rear story addition to approximately 15 feet at the

ground floor and 12 feet at the second floor; 4) 2<sup>nd</sup> floor addition will be set back 3 feet from the proposed ground floor building wall.

AYES: Baltimore, Fay, Joe, Salinas, Theoharis  
ABSENT: Chinchilla and Lim

19. 2002.0495D (G. CABREROS: 415-558-6169)  
2606 and 2610 JACKSON STREET - north side of the street between Scott and Pierce Streets, Lots 021 & 022 in Assessor's Block 0585 - A staff-initiated request for Discretionary Review of Building Permit Application 2001/1224/5878 proposing to merge two single-family residences into one single-family home in an RH-1 (Residential, House, One-Family) Zoning District with a 40-X Height and Bulk District. The two lots are proposed to be merged under a separate subdivision application.  
Preliminary Recommendation: Do not take Discretionary Review and approve merger.

SPEAKER(S): None  
ACTION: Without hearing, continued to June 20, 2002  
AYES: Baltimore, Fay, Joe, Salinas, Theoharis  
ABSENT: Chinchilla and Lim

- 20a. 2002.0259DDDDD (K. SIMONSON: 415-558-6321)  
536 PRESIDIO AVENUE - east side between California and Pine Streets, Lot 22 in Assessor's Block 1031 - Staff-initiated Request for Discretionary Review of Building Permit Application 2001/1114/3104, proposing to demolish a one-story over garage building containing one dwelling unit. The subject property is in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

SPEAKER(S):

**(-) Elenor Rosenthal – 1<sup>st</sup> Discretionary Review Requestor**

- She is concerned with the shadow that will be cast onto her house and with the design of the proposed construction.
- She did a shadow study that proves this.

**(-) Sharon Esker – 2<sup>nd</sup> Discretionary Review Requestor**

- She has lived in this neighborhood for 17 years.
- She opposes the scale of the building.
- The depth and height of the rear extension will cause a shadow on her home.
- She would like to eliminate the bay windows and have the building scaled back.

**(-) Leonard Esposto**

- The proposed house is big. It extends 12 feet past the back of his yard.
- This new building will create shadows on his home.

**(+) John Goldman – Goldman Architects**

- He displayed a diagram and described the design of the proposed construction.
- He displayed photos of the architecture of the building.

**(+) Victor Kwan – Project Sponsor**

- He displayed photos of what the project will look like in comparison to the adjacent homes.

**(+) Sharol Owyang – Project Sponsor**

- She grew up in this neighborhood and now lives with her husband. Her parents live about five minutes walking distance away.
- They can't decrease the density of the house because they would like to have enough room to start their family.
- They want the bay windows to maximize the light coming into the house.

ACTION: Did not take Discretionary Review and approve staff recommendation.  
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

- 20b. 2002.0259DDDDD (K. SIMONSON: 415-558-6321)  
536 PRESIDIO AVENUE - east side between California and Pine Streets, Lot 22 in Assessor's Block 1031 - Requests for Discretionary Review of Building Permit Application 2001/1114/3108S, to construct a new three-story over garage building containing two dwelling units. The subject property is in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and approve with modifications.

SPEAKER(S): Same as those listed in item 20a.

ACTION: Took Discretionary Review and approved with Staff Recommendations:  
-- cosmetic changes to the ground floor especially with regard to the primary entrance and the garage door

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla and Lim

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 9:32 p.m.

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# SAN FRANCISCO PLANNING COMMISSION & RECREATION AND PARK COMMISSION

## Special Joint Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 20, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

SEP 19 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PLANNING COMMISSIONERS PRESENT:**

Baltimore, Chinchilla, Joe, and Theoharis

**PLANNING COMMISSIONERS ABSENT:**

Fay, Lim, and Salinas

**RECREATION AND PARK COMMISSIONERS PRESENT:**

Bonilla, Chin, Martin, Newhouse Segal

**RECREATION AND PARK COMMISSIONERS ABSENT:**

Murray and Getty

**THE MEETING WAS CALLED TO ORDER BY PLANNING COMMISSION PRESIDENT CHINCHILLA  
AT 1:40 p.m.**

**PLANNING STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator;  
Craig Nikitas; Michael Li; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

**RECREATION AND PARK DEPARTMENT:** Bob McDonald, Planner; Elizabeth Goldstein, General  
Manager; Margaret McCarthur, Commission Secretary

### A. SPECIAL CALENDAR

1. 2002.0624K (M. LI: 415-558-6396)  
BOEDEDEKER PARK - northeast corner of Jones and Eddy Streets, Lots 006-009 and  
017-019 in Assessor's Block 0332: -- Request to raise the absolute cumulative limit for  
additional shadow on Boeddeker Park from 0.0070 percent to 0.0087 percent.  
Preliminary Recommendation: Approval  
(ACTION ITEM: BOTH COMMISSIONS)

**SPEAKER(S):**

(+) **Joan McNamara – Mayor's Office of Housing**



- At least two family housing units will be possible if the Commissions approve this.

**(-) Marvis J. Phillips – North of Market Planning Coalition**

- They have not seen any of the plans.
- The Board of Directors are opposed to the shadow increase.
- This is a cumulative situation.
- The area where the shadow will be cast is on a children's vegetable garden.

**(+) Rev. Glenda Hope – San Francisco Network Ministries**

- They are aware of the need for family housing.
- She is in support of the recommendations.

**(+) Diane Clampton – Bay Area Women's and Children's Center**

- They support this project because housing is desperately needed.
- The shadow impact will be minimal.

**(+) Brother Kelley Collin – TNDC**

- This new construction is very necessary because it will allow family units.
- There are a great number of people who are looking for affordable housing.

**(+) David Baker – Architect – David Baker and Partners, Architects**

- He is available for questions.

**ACTION:**

Approved

**PLANNING COMMISSION AYES:**

Baltimore, Chinchilla, Joe, and Theoharis

**PLANNING COMMISSION ABSENT:**

Fay, Lim, and Salinas

**MOTION:**

16438

**REC AND PARK COMMISSION AYES:**

Bonilla, Chin, Martin, and Newhouse Segal

**REC AND PARK COMMISSION ABSENT:**

Murray, and Getty

2. **BOEDDEKER PARK – 131 AND 145 TAYLOR STREET AT EDDY STREET**

Discussion and possible action to recommend to the Planning Commission that the shade or shadow that would be cast by the proposed nine-story, 86 foot high building containing 67 dwelling units will/will not have a significant effect on Boeddeker Park within the meeting of Planning Code Section 295 (Sunlight Ordinance).

(ACTION ITEM: REC/PARK COMMISSION ONLY)

**SPEAKER(S):**

Same as those listed for Item 1.

**ACTION:**

Approved

**REC AND PARK COMMISSION AYES:**

Bonilla, Chin, Martin, Newhouse Segal

**REC AND PARK COMMISSION ABSENT:**

Murray and Getty

**RESOLUTION:**

0206-022

3. **2001.0378KCV**

(M. LI: 415-558-6396)

**131 AND 145 TAYLOR STREET** - , west side between Ellis and Eddy Streets; Lots 002 and 018 in Assessor's Block 0339: -- Request for a determination of the significance of the shadow impact on Boeddeker Park from the construction of a proposed nine-story, 86-foot-high building containing 67 dwelling units.

Preliminary Recommendation: Determination of no significant shadow impact

(ACTION ITEM: PLANNING COMMISSION ONLY)

**SPEAKER(S):**

Same as those listed in item 1.

**ACTION:**

Approved

**PLANNING COMMISSION AYES:**

Baltimore, Chinchilla, Joe, and Theoharis

**PLANNING COMMISSION ABSENT:**

Fay, Lim, and Salinas

**MOTION:**

16439

**B. PUBLIC COMMENT**



- ☛ At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

**None**

Adjournment: 2:00 p.m.



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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 20, 2002

**2:30 PM**  
**Regular Meeting**

DOCUMENTS DEPT.

SEP 19 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Joe, Lim, Theoharis  
**ABSENT:** Fay and Salinas

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 2:34 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner-Zoning Administrator; Tina Tam, Mary Woods; Bill Wycko; Randall Dean; Jonas Ionin; Jonathan Purvis; Glenn Cabrerros; Matt Snyder; Dan Sider; Petterson Vollmann; Sara Vellve; Kate McGee; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0396C (G. CABREROS: 415-558-6169)  
2200 HAYES STREET (A.K.A. 450 STANYAN STREET) - north side of Hayes Street between Stanyan and Shrader Streets, Lots 038 and 039 in Assessor's Block 1191 - Request for Conditional Use to authorization under Section 606 of the Planning Code to revise the master signage program for an institutional use (St. Mary's Medical Center). The project site spans an RH-3 (Residential, House, Three-Family) District and an RM-2 (Residential Mixed, Moderate-Density) District and three (80-D, 80-E, and 130-E) Height and Bulk Districts.  
Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance to June 27, 2002)**  
  
SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
ABSENT: Fay and Salinas
2. 2002.0279X (M. LUELLEN: 415-558-6478)  
1 FRONT STREET (aka 444 MARKET STREET) - north side of Market Street between Battery and Front Streets, Lot 9 in Assessor's Block 266 - Request under Planning Code

Section 309(a)(5) (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception from off-street parking, freight loading and service vehicles requirements (Section 161(i)). This project lies within a C-3-O (Downtown, Office) District and within a 450-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of June 6, 2002)

**(Proposed for Continuance to July 25, 2002)**

SPEAKER(S): None

ACTION: Continued as Proposed

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

- 3a. 2001.0788CVD (D. SIDER: 415-558-6697)

1457 FLORIDA STREET, east side, between Cesar Chavez and 26th Streets; Lot 009 in Assessor's Block 4336: Request for Conditional Use authorization to allow the creation of housing not providing at least 25% of the total number of units as affordable units pursuant to Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls). The project involves the subdivision of a single lot into two lots and the construction of a new three-story structure containing two-units of housing on the proposed vacant lot. The property is within an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

**(Proposed for Continuance to July 11, 2002)**

SPEAKER(S): None

ACTION: Continued as Proposed

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

- 3b. 2001.0788CVD (D. SIDER: 415-558-6697)

1457 FLORIDA STREET, east side, between Cesar Chavez and 26th Streets; Lot 009 in Assessor's Block 4336: Request for a Variance for lot width and area to allow the subdivision of one lot into two lots each of substandard width and area. The project involves the subdivision of a single lot into two lots and the construction of a new three-story structure containing two-units of housing on the proposed vacant lot. The property is within an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

**(Proposed for Continuance to July 11, 2002)**

SPEAKER(S): None

ACTION: Continued as Proposed

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

- 3c. 2001.0788CVD (D. SIDER: 415-558-6697)

1457 FLORIDA STREET, east side, between Cesar Chavez and 26th Streets; Lot 009 in Assessor's Block 4336: Mandatory staff-initiated Discretionary Review for a project proposing to change the use of a single proposed lot from vacant to two-family housing. Discretionary Review is required by the Mission District Interim Controls for any change of use within the Mission District. The project involves the subdivision of a single lot into two lots and the construction of a new three-story structure containing two-units of housing on the proposed vacant lot. The property is within an RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do Not take D.R. and approve the project as proposed.

**(Proposed for Continuance to July 11, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
ABSENT: Fay and Salinas

4. 2002.0434C (M. LUELLEN: 415-558-6478)  
115 TELEGRAPH HILL BOULEVARD, A.K.A. 361 – 377 FILBERT STREET, south side between Montgomery and Kearny Streets, Lots 34, 35, and 36 in Assessor's Block 105 -- Request for Conditional Use Authorization under Planning Code Sections 209.1(h) and 303 to authorize dwelling units at a density of one unit for each 1000 square feet of lot area. The three parcels contain 7,562 square feet in area, allowing the possibility of up to seven units if authorized as a conditional use. This project lies within a RH-3 (House, 3-Family) district and within a 40-X Height and Bulk District.  
**(Proposed for Indefinite Continuance)**

SPEAKER(S): None  
ACTION: Continued Indefinitely  
AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
ABSENT: Fay and Salinas

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

5. Commission Matters  
**Commissioner Theoharis:** She would like to request that staff look into a matter stated in a letter from the President of the West of Twin Peaks Central Council. This letter stated that a store manager is telling customers about a major renovation of food franchises and that neighborhood groups have not been notified.  
- They feel that there have been several violations of the Conditional Use.

**C. DIRECTOR'S REPORT**

6. Director's Announcements  
**None**
7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS:**  
*Re: 5200 Geary Boulevard and 3224 Pierce Street – Antenna Conditional Use*  
- The neighborhood filed an appeal before the BOS; the Board overturned the Commission's decision.

**Budget Committee Meeting****Re: Budget**

- The Budget Analyst is recommending to the Board of Supervisors that the number of positions be reduced in the Planning Department: One planner IV, one Planner III, and three Planner VI Environmental Review positions be reduced or demoted to Planner III.
- The Director stated that he was opposed to these recommendations.
- These recommendations are not consistent with the audit's recommendations.
- Reducing the Department's staffing would impact the Department's ability to carry out its mission, it would continue to generate backlogs, and would further reduce moral.
- He will appear before the Budget Committee on June 25, 2002 to respond to any additional questions they may have and he will continue to push for retention of these positions.

**BOA:**



**42-44 August Alley**

– This was a dwelling unit merger that the Commission denied. The Board overruled the Commission by +5-0. Their stated reasons: no tenant evictions and the need for adequate family housing. They also wanted to prevent more households with children from moving out of San Francisco.

**1323 41<sup>st</sup> Avenue**

– This was a proposal to demolish and to erect a new two story over garage building. The Commission approved this application with modifications by reducing the length by 7 feet. The Board amended the Commission's decision by returning the 7 feet.

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

*Re: 1005-1007 Geneva Avenue*

**(+) Manuel Gomez – Project Sponsor - Owner**

- He has been at this location for 20 years.
- This building is not a fixer upper.

**(+) Mark Edwards – General Contractor – GMI Construction**

- He would like to remove the structure and put a newer model at this location.

**(+) Ahmad Larizadeh**

- He transmitted a residential repair cost document.

**E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED****8. 2002.0015C (D. SIROIS: 415-558-6313)**

**1005-1007 GENEVA AVENUE** - north side of Geneva Avenue, between Paris and Lisbon Streets, Lot 013 in Assessor's Block 6408 - Request for Conditional Use authorization to demolish a building containing a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space for the existing business, Apollo Heating, in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular meeting of May 16, 2002)

**NOTE:** On June 6, 2002, following public testimony, the Commission closed public hearing and entertained two motions: 1) an intent to approve. The motion failed to carry by a vote of +2 - 5. Commissioners Lim, Salinas, Theoharis, Chinchilla and Baltimore voted no. 2) an intent to disapprove by a vote of +5 -2. Commissioners Fay and Joe voted no. The matter was continued to June 20, 2002 for final action.

SPEAKER(S): None

ACTION: Project Disapproved

AYES: Baltimore, Chinchilla, Lim, Theoharis

NAYES: Joe

ABSENT: Fay and Salinas

MOTION: 16440

**F. REGULAR CALENDAR****9. 2002.0179C (G. NELSON: 415-558-6257)**

**5200 GEARY BOULEVARD** - (Geary Mall Parking Garage) – north side between 16<sup>th</sup> and 17<sup>th</sup> Avenues; Lot 045 in Assessor's Block 1448 - Request for Conditional Use authorization under Section 712.83 of the Planning Code to mount a total of three (3)

panel antennas to existing penthouse structures on the upper deck of an approximately forty-foot tall, three level parking garage with ground floor commercial spaces. The project site is within a Moderate Scale Neighborhood Commercial (NC-3) Zoning District and a 40-X Height and Bulk District. Per the City & County of San Francisco's *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines* the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure within an NC-3 Zoning District. The proposed site would be operated as part of Cingular's wireless telecommunications network.

Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of May 9, 2002)

SPEAKER(S): None

ACTION: None. The request for Conditional Use was withdrawn.

**Item 10 was taken out of order and followed item 11.**

10. 2002.0042CE (T. TAM: 415-558-6325)  
**3632 LAWTON STREET** - north side of Lawton Street, between 42<sup>nd</sup> and 43<sup>rd</sup> Avenues; Lot 3 n Assessor's Block 1888 - Request for a Conditional Use authorization pursuant to Planning Code Sections 710.11, 710.21, 710.39 and 710.81 for (1) development of a lot size greater than 4,999 square feet, (2) creation of a single commercial space for a non-residential use greater than 3,000 gross square feet, (3) demolition of residential use on the second floor, and (4) establishment of an institutional use (large) on the second floor in the NC-1 District and 40-X Height and Bulk District. The proposal is to demolish two existing two-story apartment buildings, with a total of 12 dwelling units, and construct a new church (Sunset Chinese Baptist Church), approximately 20,000 square feet in size and 40 feet in height.  
 Preliminary Recommendation: Disapproval

SPEAKER(S):

**(+) Lincoln Lew – Project Architect**

- The Church provides safe, educational and spiritual needs to the entire community.
- The new church will have a new and better design to better serve the community.
- He described the architectural aspects of the new construction.

**(+) Jerry Wong – Architect**

- There are activities in the church 7 days a week.
- Attendees are anxious to attend the various activities, which fill their spiritual, cultural, and language needs.

**(+) Roger Gee - Architect**

- This is a very active church, which is growing and fills various needs of the community like kindergarten, youth programs, etc.

**(-/+) John J. Jordan**

- He has lived on 43<sup>rd</sup> Avenue for the last 43 years.
- He gets along wonderfully with the congregation that is growing every day.
- The only issue he has is that parking is horrendous.
- He would like to have the 16 parking places designated to staff.

**(-) Joe Hurley**

- He has lived across the street from the Church for 52 years.
- Some of the residents are concerned about deteriorating further the high-density traffic and the parking problem in the neighborhood day and night.
- Staff from the church takes most parking spots.

**(+) Bill Lee - Sunset Chinese Baptist Church**

- He is in support of the project.
- He has lived in the Sunset District since 1952.
- If this project is not approved it will affect various neighbors and various services that are provided today.

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- He hopes that the Commission and Department will consider the request and balance the need for housing with the need to provide various services and activities to the neighborhood and membership.

**(+) Homer Wong – Church Member - Sunset Chinese Baptist Church**

- This project is a worthy one and supports the needs of the community.

- They did a community outreach and obtained over 2,800 signatures in support of this project.

- They have been proactive and have been concerned with the neighbors.

- Allowing this project to move forward will be a benefit to the community and to the City.

**(+) Larry Wong – Pastor - Sunset Chinese Baptist Church**

- They have helped members who have terminal illnesses, low income, counseling, youth, elderly, etc.

- He would like the Commission to approve this project so they can continue to provide services to the community.

**(+) Suzanna Lo – Church Administrator - Sunset Chinese Baptist Church**

- There is not enough available space for the ministry and activities they need to provide for the community.

- They have had to turn away people because of the lack of space.

**(+) Clauro Wong – Minister of Music - Sunset Chinese Baptist Church**

- Many of the members attend musical activities but there is limited space for equipment and activities.

**(+) Jeff Y. Wong – Sunset Chinese Baptist Church**

- He is a 4<sup>th</sup> generation San Franciscan.

- There are 6 services available to the Community.

- There is a wonderful senior ministry at this church.

**(+) Frances Tom – Volunteer, Sunrise Preschool**

- The preschool ministry is based on the approval of this petition.

- They have a long waiting list of children trying to get into the school.

**(+) Helena Gin – Sunset Chinese Baptist Church**

- She has lived in San Francisco all her life.

- She hopes that the Commission will approve this project

- They are always turning away families because of the lack of space.

- This project will enhance the quality of life to the citizens of San Francisco.

**(+) Greg Chuck - Sunset Chinese Baptist Church**

- He has lived near the church for over 26 years.

- He has been able to take his children to day camp, Sunday school classes, etc.

- The current building is too small. The new building will provide more space for their ministry.

**(+) Ken Leung - Sunset Chinese Baptist Church**

- This church provides various activities for its members and non-members.

- The project is about to provide a better use for the church and the community.

**(+) Diana Lee – Friendship Partner to International Students - Sunset Chinese Baptist Church**

- These international students attend San Francisco State University.

- They help international students make their stay here better.

**(+) Greg Wong - Sunset Chinese Baptist Church**

- He is a 5<sup>th</sup> generation San Franciscan and has lived in the Sunset District for 25 years.

- He is a member and actively working with young adult groups.

**(+) Simon Wong**

- He has lived in San Francisco for 25 years.

- They provide a large senior citizen program, children's program, youth program, etc.

- They serve all the physical and spiritual needs.

- They don't have the resources to solve all the housing problems of San Francisco.

**(+) Alice Wong – Executive Committee of the Women's Ministry - Sunset Chinese Baptist Church**

- She was born and raised in San Francisco

- They offer bible study, outreach, retreats, etc.
- She believes that there have been about 300 women who have benefited from this ministry through the years.
- She hopes that the Commission will approve this project so that their ministry will continue to grow.

**(+) Jeffrey Tom - Sunset Chinese Baptist Church**

- He has lived in the Sunset since 1973 and has been a member of the church since 1980.
- All of the ministries at the church require more space.

**(+) Ralf Leong - Sunset Chinese Baptist Church**

- He lives and works in San Francisco.
- His family benefits from the services the church provides.
- There is a tremendous outreach to other countries.
- He hopes that the Commission will approve this project so they can provide more opportunities to service their community.

**(+) Robert Kong - Sunset Chinese Baptist Church**

- He was born and raised in San Francisco.
- He supports the building project of the church since there is a shortage of space at the church.

**(+) Greg Jang - Sunset Chinese Baptist Church**

- He is a founding member of the church.
- He hopes that the Commission will approve the project so they can continue to serve the Sunset District.

**(+) Wayne Yee**

- He lives on 40<sup>th</sup> Avenue.
- The church has benefited his family and the community.

**(+) Ed Ju – Office of Supervisor Yee**

- Supervisor Yee is in full support of this project.

**(+) Larry Pongs**

- Many of the members do not receive monetary compensation for what they do. The only thing they receive is the satisfaction of serving their church and their community.

**(+) Dean Straw**

- He is not a member of the church yet he knows many of the members.
- There is always a need for spiritual matters in the City.
- He hopes that the Commission will reconsider their position and approve this project.

**(+) Hasie Chew**

- All the activities of the church serve everyone in the community, which are all valuable services.

**(+) Sarah Lee**

- She has lived in San Francisco for many years.
- Their church has a mission to provide a spiritual need as well as the social and psychological needs of their members.

**(+) Randall Gee**

- He is a youth member of the church.
- They have to rent space from an adjacent church in order to carry out their activities. They have to carry equipment, etc., which becomes a burden.

ACTION: Intent to Approve. Final Language June 27, 2002

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

**Item 11 was taken out of order and was heard prior to item 10.**

11. 2002.0471C

(M. WOODS: 415-558-6315)

1907-09 PINE STREET (A.K.A. 1715 OCTAVIA STREET) - southwest corner of Pine and Octavia Streets; Lots 1 and 29 in Assessor's Block 663 - Request for Conditional Use authorization under Sections 303 and 352 of the Planning Code to amend a previous condition of approval to allow a two-year extension to commence construction of Phase



Two of the Schools of the Sacred Heart Stuart Hall High School for Boys (approved on February 24, 2000 as a Conditional Use, Case No. 1999.218C, under Planning Commission Motion No. 14996) The project site is in an RH-2 (Residential, House Districts, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): None  
 ACTION: Approved  
 AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
 ABSENT: Fay and Salinas  
 MOTION: 16441

12. 2001.0535E (B.WYCKO: 415-558-5972)  
724-730 VAN NESS AVENUE/ 650-660 TURK STREET - **Appeal of Preliminary Negative Declaration.** The proposed project involves the demolition of two existing one-story buildings at 724-730 Van Ness Avenue and 650-660 Turk Street, and the construction of a new building consisting of an approximately 130-foot tall, 14-story tower fronting on Van Ness Avenue and a 67-foot tall, 7-story tower fronting on Turk Street above a two-level subsurface parking garage and ground floor retail space, accessory office and recreation/laundry room. The project site is located on Lots 4 and 8 in Assessor's Block 742. The vacant 724 Van Ness Avenue building was formerly occupied by about 4,500 square feet of retail space. At 730 Van Ness Avenue, there currently exists about 1,500 square feet of restaurant space. The existing structure at 650-660 Turk contains 9,750 square feet and is currently occupied by an auto repair business at street level and an auto glass repair shop at the mezzanine level. The new building would consist of about 134 dwelling units on floor levels 2 through 14 with lobby access from Van Ness Avenue, 45 independently-accessible parking spaces for the dwelling units on two parking levels with vehicular access from Turk Street, and ground floor space allocated to an approximately 1,530 square foot community/laundry room, about 830 square feet of office space accessory to the residential complex, and about 2,200 square feet of retail space. Both project site lots are within a RC-4 District (Residential-Commercial Combined District, High-Density District) and the Van Ness Avenue Special Use District (SUD) as well as a 130-V Height and Bulk District. The project would require Conditional Use authorization for new construction over 40 feet in height. The project sponsor would also need to seek Variances regarding off-street parking.  
 (Continued from Regular Meeting of May 23, 2002)  
 Preliminary Recommendation: Uphold Preliminary Negative Declaration

SPEAKER(S):

(-) **Charles Renatti – Appellant**

- There are a number of environmental issues that were not addressed in the Negative Declaration. For example: the issue of parking, deprivation of light and air, shadow impacts and aesthetics.

- Further study should have been done in order to have these issues addressed.

(+) **John Sanger – Sanger and Olson**

- He believes that this negative declaration addresses all the issues quite adequately.

ACTION: Negative Declaration Upheld  
 AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
 ABSENT: Fay and Salinas  
 MOTION: 16442

- 13a. 2001.0535E\CVK (M. WOODS: 415-558-6315)  
724-730 VAN NESS AVENUE/ 650-660 TURK STREET - (east side between Turk and Eddy Streets) and 650-660 Turk Street (north side between Van Ness Avenue and Polk Street), Lots 4 and 8 in Assessor's Block 742 - Request for Conditional Use Authorization under Sections 243, 253, 253.2 and 303 of the Planning Code for the construction of a 141-unit residential project of approximately 138,690 square feet with ground floor retail



spaces on Van Ness Avenue and a garage containing 51 automobile parking spaces, 40 bicycle spaces and two service vehicle loading spaces. The proposed project includes the demolition of two existing one-story buildings and the construction of a 13-story, 121-foot tall tower with two ground floor retail spaces fronting on Van Ness Avenue and a 9-story, 87-foot tall tower facing Turk Street. The pedestrian entrance to the building would be on Van Ness Avenue while resident and service parking would enter from Turk Street. The site is in the RC-4 District (Residential-Commercial Combined Districts, High Density) and the Van Ness Special Use District, and is within the 130-V Height and Bulk District. The project would also seek Zoning Administrator modifications and variances related to rear yard, parking and freight loading.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Tony Theophilos – Project Sponsor**

- This project will allow a long-standing commitment to the arts.
- He has worked with many non-profit, pro arts organizations.
- He has met with various organizations of the area and are now strong supporters of this project.
- They were able to address the objectives and issues that residents of the area had.

**(+) Jaime Rossi – San Francisco Chamber of Commerce**

- This project deserves to be approved.
- This project goes along with the Van Ness plan.
- This is the type of housing that San Francisco needs.

**(+) Kate White – San Francisco Housing Coalition, Bike Coalition and San Francisco Ride Share**

- There are 1,500 members sharing cars.
- The coalitions support this project.

**(+) Brother Kelley Collins - TNDC**

- There is very little housing.
- San Francisco needs more of these types of projects.
- The Department needs to look at how more of this type of housing can be built.

**(-) Norman Licht**

- He is concerned that the building is out of proportion with the other buildings on Van Ness Avenue.
- This project will disrupt the eastern downward slope.

**(-) Clayton Rost**

- He lives on Van Ness and Turk.
- Not all of the issues and concerns about this project have been met.
- One of those concerns is the issue of parking and traffic.

**(-) Molly Hopp – Board of Directors of the Opera Plaza Homeowners Association**

- They are worried about the cumulative affect on the parking.

**(-) Charles Renati – Opera Plaza and Opera Plaza Neighborhood Committee**

- This project is just too big. No one is against more housing. No one is against people affording to buy their own home.
- There are no other buildings that are as tall or taller.

**(-) Sherrie Walsh – Opera Plaza Commercial Management**

- Opera Plaza garage is at its full capacity.
- The lack of off street parking for this project will affect the Van Ness Ave. traffic flow.
- There will also be an increase in wind currents.
- She hopes that the Commission will consider these issues.

**(-) Michael LoBue**

- He is opposed to this project mostly because of the parking issues.

**(-) Deidra Kahn**

- She owns a condo and a florist shop in Opera Plaza.
- Parking has become increasingly more difficult in this area.
- More than 90 percent of the people who live in Opera Plaza own cars.

- She objects to any variance that does not allow a loading dock.

(-) **Michael Carroll**

- He has been a resident of Opera Plaza for 20 years.

- If this building is built it would block the view of City Hall.

(-) **Peter Winkelstein - Architect**

- He is concerned about the project's height as it relates to its proximity to City Hall.

(-) **Virginia Reyna**

- She submitted a letter from a neighbor who is opposed to this project.

- Ms. Reyna is also opposed to this project because of the parking and traffic issues.

(-) **Peter Tomas**

- He is concerned about the logistics of the project.

(-) **Ron Miguel – Action Housing Coalition**

- These units are very small.

- The location of this project is where you want to encourage non-car usage.

- This is the right concept in the right area.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

MOTION: 16443

- 13b. 2001.0535ECV/K (M. WOODS: 415-558-6315)  
724-730 VAN NESS AVENUE/ 650-660 TURK STREET - (east side between Turk and Eddy Streets) and 650-660 Turk Street (north side between Van Ness Avenue and Polk Street), Lots 4 and 8 in Assessor's Block 742 - Request for rear yard, parking and freight loading variances. Planning Code Section 134(a)(1) establishes the minimum rear yard depth of 25 percent of the lot depth. Pursuant to Planning Code Section 243(c)(6), rear yards in the Van Ness Special Use District may be modified or waived by the Zoning Administrator if the conditions listed in that subsection are met. The proposed project would have one building partially in the required rear yard. Planning Code Section 243(c)(8)(I) states that the parking requirement may be reduced from one space per unit to not less than one space for each four dwelling units if the Zoning Administrator determines that the reduced parking requirement is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the project. The proposed project would provide 51 independently accessible off-street parking spaces while Section 243(c)(8)(I) would require 141 independently accessible residential off-street parking spaces. Planning Code Section 152 requires one off-street freight loading space when the gross floor area exceeds 100,001 square feet but less than 200,000 square feet. The proposed project would provide two service vehicle spaces in lieu of one freight loading space.

SPEAKER(S): Same as those listed in item 13a.

ACTION: The Acting Zoning Administrator closed the Public Hearing and has taken the matter under advisement.

14. 2000.1058E (R. DEAN: 415-558-5980)  
1598 DOLORES STREET (aka REILLY'S FUNERAL HOME) - located at the northwest corner of Dolores and 29<sup>th</sup> Streets; Assessor's Block 6618; Lots 7, 9, 38. **Appeal of a Preliminary Negative Declaration.** The proposed construction consists of two, four-story residential buildings with a total of 13 units and demolition of an existing two-story mortuary building. The project would provide 13 off-street parking spaces. The proposed project site is 10,500 sq. ft. and is located in the NC-1 (Neighborhood Commercial Cluster) District. The project would require Conditional Use Authorization by the City Planning Commission.  
 Preliminary Recommendation: Uphold Preliminary Negative Declaration  
 (Continued from Regular Meeting June 13, 2001.)

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## SPEAKER(S):

**(-) Steve Williams – Appellant**

- This project does rise to the level of requiring an EIR.
- This is a beautiful building and should not be demolished.

**(+) Jim Reuben – Reuben and Alter – Representing Project Sponsor**

- This project has been asleep for over a year.
- He has not heard anything from Heritage regarding the historical issues of this building.
- He hopes that the Commission will uphold the negative declaration.

ACTION: Negative Declaration Upheld

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis

ABSENT: Fay and Salinas

MOTION: 16444

15. 2000.1058CE (T. TAM: 415-558-6325)  
1598 DOLORES STREET (aka REILLY'S FUNERAL HOME) - northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38 in Assessor's Block 6618 - Request for a Conditional Use authorization pursuant to Planning Code Sections 121.1 and 710.11 for development on lot size greater than 5,000 square feet in an NC-1 (Neighborhood, Commercial, Cluster) District. The proposal also requires a modification to the rear yard requirement as allowed under Planning Code Section 134(e).  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Meeting of June 13, 2002)

## SPEAKER(S):

**(+) Jim Reuben – Reuben and Alter**

- He has tried to address almost every issue related to this project.
- Height, bulk, parking, etc. were some of the issues.
- There will be no loss of street parking.
- They have made modifications to address neighborhood concerns.
- This project will be a major benefit to the block.

**(+) Michael Levitt – Architect**

- He described the architectural aspects of the project.

**(+) Joe Cassidy – Project Sponsor**

- He met with neighbors a couple of times to answer any questions.
- Modifications to the building were made to address some of the neighborhood concerns.

**(+) Bruce Bauman – Project Planner**

- There are various buildings in Noe Valley similar to this project.
- The street where this project is proposed is very wide.
- This project is providing housing--not removing it.

**(+) Angus McCarthy**

- As a contractor, he has been demonized for not having affordable housing yet this project has affordable housing.
- The commercial component of this project has been removed.

**(+) Sean Kiegran**

- San Francisco is a very desirable city to live in; this makes the demand for housing greater.
- Much of the housing needs to be done in areas where residents are anti-development.

**(+) Stan Warner**

- He is a business owner in the Mission District.
- Eighty percent of his business is done in San Francisco.
- He urges the Commission to approve this project.

**(+) Jim Keighran**

- He is in support of this project.

**(+) Mac Burton**

- He urges the Commission to approve this beautiful project.

**(+) Mike Cassidy**

- He has lived and worked in San Francisco for 21 years.
- The cost of building something in San Francisco is insane.
- This project is a beautiful design and will allow families to live there.

**(+) John Wooley**

- He knows there are many people opposed to this project because they feel it is out of scale with the neighborhood, yet this project will provide much needed housing to San Francisco.
- This project is completely within city code guidelines.

**(+) John O'Connor**

- He is a small business owner.
- Housing is needed in San Francisco.
- This is a nice project and it should be approved.

**(+) Dan Boardman**

- Owner of a family-owned business.
- He urges the Commission to approve this project.

**(+) James Nunemacher**

- It is difficult to build condominiums and this project is a very successful project.
- This is a wonderful opportunity for the neighborhood.

**(+) Deirdre Cassidy**

- She lives and works in San Francisco.
- She has no economic interest in this project but is familiar with the same neighborhood association that is opposed to this project.
- She and her husband built two housing projects and the same neighborhood association was opposed to them.
- This project is a great project.

**(+) Al Markus**

- He lives across from the proposed project.
- Corner buildings are usually the largest ones on the block.
- Flyers, which were distributed throughout the neighborhood, are filled with lies.
- This project is not out of scale and not out of character with the neighborhood, but it will enhance the livability.

**(+) Rita Burn**

- She would like to thank the project sponsor for reviving this neighborhood with this project.
- The opposing association does not have the best interest of Noe Valley.

**(+) Alex Ruiz**

- He is happy that these units are family-style housing.
- He hopes that the Commission will approve this project, which will help people like him, who has a family, be able to afford one.

**(+) Angelene O'Loughlin**

- She owns a two-unit building in the area and has lived in the City for 15 years.
- This project will have be a financial gain to the City.
- Please keep approving projects and keep this industry moving along.

**(+) Evin McCarthy**

- Sooner or later he would like to purchase a condominium and he has no objections to this project.

**(+) Dan Sullivan**

- He was raised in this neighborhood and is in favor of this project.
- The design is within the character of the neighborhood.

**(+) Mathew Brennan**

- He grew up in this neighborhood.
- He supports this project.

**(+) Joe O'Donoghue – Residential Builders**



- Housing and revenue are needed in this City.

**(+) Alice Barkley**

- This building also supports the policies and objectives of the Urban Design Guidelines.

**(+) Judy West**

- It is important to approve three-bedroom units.

**(-) Dave Monks – President of Friends of Noe Valley**

- This is the largest development in Noe Valley.
- The current building is quite beautiful and people are used to it.
- They haven't been able to see the design and/or the plans for this project.
- They just want a project that is in scale with the neighborhood.

**(-) Olga Milan**

- They do not oppose building or having something built there; they are just opposed to the massiveness of the building.
- She hopes that the Commission will find a compromise to scale it down.

**(-) Tom Mogensen – Upper Noe Neighbors**

- He lives in Noe Valley.
- He is offended by the personal attacks.
- He agrees that corner buildings should be 40 feet.

**(-) Cynthia Berglez**

- The major concern of this project is the massiveness of the project.
- She is glad that the project sponsor made changes to accommodate the neighbors. It is just sad that they were made today at the last minute.

**(-) Robert Sharp**

- He is opposed to this project.

**(-) Vicki Rosen – President of Upper Noe Neighbors**

- Any flier that comes from Upper Noe Neighbors will have a name and a contact person.
- They would like a substantial drop on both sides of the building to 30 feet.
- They appreciate that they (the sponsors) are working on the parking issues.

**(-) Jonnie Sharp**

- She agrees with the previous speaker about reducing the mass.
- There are very, very few 3-story buildings.
- There is no problem with the architecture.

**(-) Jessica Barrows**

- She lives on Valley Street.
- Her house is a one story Victorian.
- She is not antidevelopment yet the project is too large for the neighborhood.

**(-) Domingo Tavella**

- He displayed a photograph of how the proposed project will impact the neighborhood.
- He would like to have a 3-story building instead of a 4-story building.

**(-) Jeannene Przyblyski – Friends of Noe Valley**

- All correspondence and fliers from the neighborhood association contains a contact name and contact person.
- This project is just out of scale with the neighborhood.

**(-) Randall Zielinski**

- He wants some control in their neighborhood.
- All he is asking from the developer is to work with the neighborhood.
- The issue here is about height.

**(-) Bruno Andreatta**

- He has lived in the neighborhood for many years.
- He is not against the project although he will miss the building.
- He is just against the height of the building.

**(-) Steve Williams – Representing the surrounding neighborhood**

- These lots are historical. The building came before the zoning.
- The neighborhood is against the size of the building so it's not compatible with the other neighborhood buildings.



**ACTION:** Approved with conditions as modified: 1) The Project Sponsor shall modify the project at the 4<sup>th</sup> Floor, on the north Dolores-facing façade; 2) The Project sponsor shall provide an additional subterranean level of parking below the 29<sup>th</sup> Street building, with ingress and egress on 29<sup>th</sup> Street, which subterranean parking shall provide up to 22 of additional independently accessible parking spaces so that the entirety of the project shall provide 8 spaces accessed along Dolores Street, and 18 spaces in a garage accessed on 29<sup>th</sup> Street.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Theoharis

**ABSENT:** Fay and Salinas

**MOTION:** 16445

16. 2002.0408C (J. IONIN: 415-558-6309)  
2863 CALIFORNIA STREET - Assessor's Block 1028, Lot 023 - Request for Conditional Use Authorization under Planning Code Section 161(j) for an exemption from the residential parking requirement. The Proposal is to demolish an existing two-story commercial building with approximately 4,450 square feet in total gross floor area and construct a new three-story 40-foot tall building with approximately 8,525 square feet in total gross floor area. There would be approximately 3,500 square feet of ground-floor commercial and four residential units above. Conditional Use Authorization is sought to construct the Project without the required four off-street parking spaces for the residential units. No parking is required for the commercial space. The project lies within a Small-Scale Neighborhood Commercial (NC-2) District and within the 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with Conditions  
 (Continued from Regular Meeting of June 13, 2002)

**SPEAKER(S):**

**(+) Dan Sullivan – Representing Project Sponsor**

- He submitted a petition with 100+ speakers in support of the project.
- This application is in compliance with the code.
- The neighborhood sees parking as a very important issue.
- He hopes that the Commission will approve this project with the elimination of the parking.

**(+) Ron Miguel**

- This project is an attempt to build a neighborhood.
- He hopes that the Commission will support this application.

**(+) Charles Ng**

- He really likes this project and hopes that the Commission will approve it.

**(+) Tran Luong**

- She is in support of the project and hopes that the Commission will approve it.

**(-) Michael Stenburn**

- He has a petition with many signatures of residents who are opposed to the project.
- If a building with residential units is going to be built it should contain parking.

**(-) Linda Klouda – Pacific Heights Residents Association**

- There are various buildings in the neighborhood that have either garage doors or parking spaces.

**(-) Janet Potter**

- She has owned property in the neighborhood since 1970. This property did not have a garage but eventually decided to build a garage. Most of the residents are very neighborly.
- There is a myth that all of California Street is commercial.

**(-) Caroline Schiff**

- She rents a unit on California Street.
- There is a lack of available parking spaces in the neighborhood.
- People resort to double parking or parking illegally across driveways.
- She would like to halt this project until the needs of the residents have been met.
- (-) Robert Rosenthal**
  - This is not the right location for this project.
- (-) John Schaecher**
  - He is a business and property owner.
  - The required off street parking is needed.
- (-) Ian Berke**
  - He supports additional housing in the neighborhood.
  - If this project is approved without the parking, the Commission will set a precedent that will become horrid.
  - The proposed restaurant will become a restaurant and store. These large restaurants bring more problems to neighborhoods.
- (-) Doug Loranger**
  - This project should contain the required off-street parking.
  - He is in support of the development of this project.
- (-) Judith Duffy**
  - The historic preservation community has not had enough time to compose an official response to this project.
  - There are many who would like to point out that there are very few intact laundry service businesses.
  - She would like to see this project modified by saving the parking and downsize the commercial area. There should still be housing added.
- (-) Courtney Clarkson – Pacific Heights Residents Association**
  - She is concerned with the historic preservation, parking and commercial aspects of this project. She would like this project to be redrawn and the project sponsor required to sit with the neighborhood to receive their input.
- (-) Charles Bush**
  - He lives on Pine Street.
  - He is not against this project. He is just concerned that there will be no parking.
- (-) David Tudor**
  - He lives on Sacramento Street.
  - The existing neighbors and guests already have a hard time with parking.
  - He is not opposed to additional housing in the City but parking is quite a necessity.
- (-) Joe O'Donaghue – Residential Builders**
  - Building residential without parking is doing a disservice to the neighborhood.
  - What the residents are asking for is very well merited.

**ACTION:** Approved with conditions as modified: secure an off-street parking lease.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Theoharis

**ABSENT:** Fay and Salinas

**MOTION:** 16446

- 17a. 1999.554CD (J. PURVIS: 415-558-6354)  
**601 KING STREET** - southeast corner at 7<sup>th</sup> Street, a through lot with frontage on Berry Street; Lots 1 and 2 in Assessor's Block 3800 - Request for Conditional Use approval under Planning Code Sections 215 and 304 to develop a mixed-use PUD (Planned Unit Development), with 250 dwelling units, up to 6,000 gross square feet of commercial space, and a 250-space garage, with exceptions from rear yard requirements of Section 134, and subject to mandatory Discretionary Review, within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and within the Industrial Protection Zone.  
 Preliminary Recommendation: No recommendation. See staff report.

**SPEAKER(S):****(+) Steve Kurlin – A.S. Evans Development, Inc. – Project Sponsor**

- Gave a PowerPoint presentation.

**(+) David Baker – Project Architect**

- Described the architectural aspects of the project.

**(+) Charmaine Curtis – AF Evans**

- This project will benefit the neighborhood.
- They wanted to wait until the community planning process was done but they are running out of time, which is why this project is before the Commission now.

**(+) Steve Vettel – Morrison & Foerster**

- All he is asking is that the approval of this project be conditional on the Board of Supervisors' enacting the height limit legislation.

**(+) Ron Miguel – Housing Action Coalition**

- This project will not undermine the community planning process. This project is based on decisions coming out of this community planning process.

**(+) Jaime Rossi – San Francisco Chamber of Commerce**

- This project is right for the area.
- He hopes that the Commission will approve the project.

**(+) Dick Millet**

- He supports the project especially because of the park.
- Affordable housing will also be built.

**(+) Julie Milburn**

- She agrees that a project should be designed after a community planning process is completed.

- This project has received unanimous approval because it is a wonderful project.

**(+) Mary Murphy – Farella, Braun and Martel, LLP**

- Bay West supports this project.
- It is important that neighborhoods be safe 24 hours and this project will provide that.

**(+) Gean Amaral**

- She supports the project.

**(+) Judy West**

- She submitted a letter from a supported who could not stay for the hearing.
- I also support the project.

**(+) Amanda Eaken**

- She supports the project.

**(+) Janet Carpinelli**

- She urges the Commission to support the project especially for the bicycle trail.
- This is a very good project.

**(+) Gabriel Metcalf - SPUR**

- This project is appropriate at this time.
- He urges the Commission to approve this project.

**(+) Susan Eslick – Dogpatch Neighborhood Association**

- The association supports this project.

**(+) Joe O'Donoghue**

- He is in support of this project.

**(+) Shawn Gorman**

- He is a Potrero Hill resident.
- This is a very good project and hopes that the Commission will approve it.

**MOTION:** Intent to Approve

**AYES:** Joe and Lim

**NAYES:** Baltimore, Chinchilla, Theoharis

**ABSENT:** Fay and Salinas

**RESULT:** Motion Failed

**ACTION:** At the call of the Chair, project continued to July 11, 2002.

- 17b. 1999.554CD (J. PURVIS: 415-558-6354)  
601 KING STREET – southeast corner at 7<sup>th</sup> Street, through lots with frontage on Berry Street; Lots 1 and 2 in Assessor's Block 3800 – Mandatory Discretionary Review under Planning Commission Resolution No. 16202 for the demolition of two industrial buildings within the Industrial Protection Zone and the construction of a mixed-use Planned Unit Development in an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District and within the Industrial Protection Zone.  
 Preliminary Recommendation: No recommendation. See staff report.

**SPEAKER(S):** Same as those listed in item 17a.

**MOTION:** Intent to not take DR and approve

**AYES:** Joe and Lim

**NAYES:** Baltimore, Chinchilla, Theoharis

**ABSENT:** Fay and Salinas

**RESULT:** Motion Failed

**ACTION 2:** At the call of the Chair, project continued to July 11, 2002.

## **G. DISCRETIONARY REVIEW HEARING**

At Approximately **10:10 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

18. 2002.0495D (G. CABREROS: 415-558-6169)  
2606 and 2610 JACKSON STREET - north side of the street between Scott and Pierce Streets, Lots 021 & 022 in Assessor's Block 0585 - A staff-initiated request for Discretionary Review of Building Permit Application 2001/1224/5878 proposing to merge two single-family residences into one single-family home in an RH-1 (Residential, House, One-Family) Zoning District with a 40-X Height and Bulk District. The two lots are proposed to be merged under a separate subdivision application.  
 Preliminary Recommendation: Do not take Discretionary Review and approve merger.  
 (Continued from Regular Meeting of June 13, 2002)

**SPEAKER(S):**

**(+) Mark Perry**

- He and his wife purchased this property in 1986.

- The surrounding neighbors support this project.

**(+) Olie Lumberg**

- He supports this project.

**(+) Michael Rubenstein**

- He is in support of this project.

**(-) Ian Burke – Pacific Heights Residents Association**

- This project should be denied because it will remove affordable housing in the City.

- This project has a wonderful design but is not appropriate for this neighborhood.

**(-) Judith Duffy**

- This project contributes to the loss of housing stock and should be denied.

**(-) Linda Klouda – Pacific Heights Neighborhood Association**

- The proposed project is contradictory to the neighborhood design guidelines.

**ACTION:** Did not take Discretionary Review and approved the project

**AYES:** Baltimore, Chinchilla, Joe, Lim

**NAYES:** Theoharis

**ABSENT:** Fay and Salinas



19. 2000.1170D (M. SNYDER: 415-575-6891)  
2637 24<sup>th</sup> STREET - south side between Potrero Avenue and Utah Street, Lot 25 in Assessor's Block 4264 - Request for Discretionary Review of Building Permit Application No. 2000/03/07/3664 proposing to construct a new building that would contain six new dwelling units, six parking spaces, and a small commercial unit, on a lot that currently contains a single-story commercial building. The property is within the 24th Street - Mission Neighborhood Commercial District, and a 65-A Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.  
 (Continued from Regular Meeting of May 16, 2002)

## SPEAKER(S):

## (-) James P. Green – Representing DR Requestor

- This unit has been used for many, many years as residential and not commercial.
- The owner owns all contiguous properties.
- The application states that the unit is vacant but it is not.
- The building has been improved, up kept, and maintained.
- He hopes that the Commission will not approve this project.

## (+) Antonio Castalucci – Project Sponsor

- He submitted a copy of the lease, which states that this building is commercial and not residential.
- This building has always been a commercial building and not a residential one.
- He rented the unit on a month-to-month basis.
- This project will provide six residential units, which will have their required parking spaces.

MOTION: Do not take Discretionary Review and approve the project.

AYES: Joe

NAYES: Baltimore, Chinchilla, Lim

ABSENT: Fay, Salinas, Theoharis

RESULT: Motion Failed

ACTION: Take Discretionary Review and disapprove the project.

AYES: Baltimore, Chinchilla, Joe, Lim

ABSENT: Fay, Salinas, Theoharis

20. 2002.0151DEK (D. SIDER: 415-558- 6697)  
480 POTRERO AVENUE - northwest corner of Mariposa Street, Lot 002C in Assessor's Block 3973 - Mandatory Discretionary Review of Building Permit Application Number 2001.11.27.3854, proposing to (1) change the use of an existing industrial building to a 55 unit residential care facility, (2) construct a vertical addition, and (3) perform interior and exterior alterations in an M-1 (Light Industrial) Zoning District, a 65-B Height and Bulk District, and an Industrial Protection Zone as set forth by Planning Commission Policy expressed in Resolution Number 16202. Mandatory Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any permit proposing to change the use of a property within the Mission District.  
 Preliminary Recommendation: No Recommendation  
 (Continued from Regular Meeting of June 13, 2002)

## SPEAKER(S):

Re: Continuance

## Alice Barkley

- The reason for the request for continuance is because she was recently retained for this project.

ACTION: Without Hearing. Continued to June 27, 2002



(This action was taken at the beginning of the Discretionary Review calendar)

AYES: Baltimore, Chinchilla, Joe, Lim, Theoharis  
ABSENT: Fay and Salinas

21. 2002.0292D (P. VOLLMANN: 415-558-6405)  
2320 LEAVENWORTH – east side between Lombard and Chestnut Streets, Lot 013G in Assessor's Block 0067 - Staff initiated Discretionary Review of Building Permit Application Number 2002/03/13/1305, for a 3-to-2 dwelling unit merger, in an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S):

(+) **James Funsten – Project Sponsor**

- He hopes that the Commission approves this merger since the units are quite small. The housing square footage will remain the same. The number of bedrooms and other rooms will also remain the same.
- This will give an opportunity for a family to live there instead of having two units for someone who is single.
- This merger will also make the building consistent with the neighborhood.

ACTION: Did not take Discretionary Review and approved the merger  
AYES: Baltimore, Chinchilla, Joe, Lim  
ABSENT: Fay, Salinas, Theoharis

22. 2002.0302D (S. VELLVE: 415-558-6263)  
3800 21<sup>st</sup> STREET – north side between Noe and Castro Streets, Lot 006A in Assessor's Block 3603 - Request for Discretionary Review for Building Permit Application No. 2002/01/04/6321, proposing to raise the roof of the existing single-family dwelling approximately seven feet, add a small lookout, and add one dwelling unit at the ground floor within an RH-2 (House, Two-Family District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as revised

SPEAKER(S):

(-) **Dan Burko – DR Requestor**

- They oppose this project because it will evict a tenant who has lived there for 31 years..
- There is nothing wrong with the house that cannot be improved or repaired.

(+) **Dennis Hyde – Project Sponsor**

- No one has requested that the tenant vacate the property under the rent control ordinance.
- If the tenant is asked to leave, it would only be temporarily and they will be paid moving expenses.

ACTION: Did not take Discretionary Review and approved the project  
AYES: Baltimore, Chinchilla, Joe, Lim  
ABSENT: Fay, Salinas, Theoharis

23. 2002.0262D (M. SNYDER: 415-558-6543)  
2000 20<sup>th</sup> STREET – northwest corner of 20<sup>th</sup> Street and DeHaro Street, Lot 23 in Assessor's Block 4072 – Staff initiated request for Discretionary Review of Building Permit No. 2002/02/15/9400 proposing to merge the property's two dwelling units into one, in an RM (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(+) Marilyn Wilson Moore

- She hopes that the Commission will approve this project so that she can return it to a single-family home.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Baltimore, Chinchilla, Joe, Lim

ABSENT: Fay, Salinas, Theoharis

24. 2002.0578D (K. McGEE: 415- 558- 6367)  
1740 FOLSOM STREET – (A.K.A. 120 14TH STREET) - east side between Erie and 14th Streets, Lot 002 in Assessor's Block 3530 - Mandatory Discretionary Review for a change of use per the Mission District Interim Controls (Board of Supervisors Resolution Number 518-01). The existing use is classified Business Service, the proposed use is Public Use (Sheriff's Office). The property is located in an M-1 (Light Industrial) Zoning District, and in a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved the project

AYES: Baltimore, Chinchilla, Joe, Lim

ABSENT: Fay, Salinas, Theoharis

#### H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:12 p.m.

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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, June 27, 2002

1:00 PM

Regular Meeting

DOCUMENTS DEPT.

SEP 19 2002

SAN FRANCISCO  
PUBLIC LIBRARY

**PRESENT:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT CHINCHILLA AT 1:03 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Peterson Vollmann; Dan Sirois; Tina Tam; Glenn Cabrerios; Michael Smith; Paul Lord; Matt Snyder; Lisa Gibson; Rick Crawford; Sara Vellve; Michael Li; Art Aguilar; Dan Sider; Thomas Wang; Victoria Ryan; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

**Note:** With the passage of Proposition D on the March 2002 ballot, the terms of the current members of the Planning Commission will expire at noon on July 1, 2002—making this hearing their last one. Immediately after this meeting was called to order, The Honorable Willie L. Brown, Mayor of the City and County of San Francisco, addressed the Commission and thanked them for their years of dedicated service to the city and the citizens of San Francisco.

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2002.0223BV (M. SNYDER: 415-575-6891)  
501 FOLSOM STREET - southwest corner of Folsom Street and 1<sup>st</sup> Street, Lot 1 in Assessor's Block 3749 - Request for Planning Commission authorization under Planning Code Sections 320-325, to establish up to 32,000 gross square feet of office space in a building whose officially recognized use is light industrial / warehousing. This project would include constructing a stair tower at the southwest corner of the building; the rest of the building will remain as it is. The subject site is within a M-1 (Light Industrial) District, an 84-X Height and Bulk District, and a Rincon Hill Commercial/Industrial Special Use Subdistrict.  
Preliminary Recommendation: Approval with conditions  
(Proposed for Continuance to July 11, 2002)  
SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

- 1b. 2002.0223BV (M. SNYDER: 415-575-6891)  
501 FOLSOM STREET - southwest corner of Folsom Street and First Street, Lot 1 in Assessor's Block 3749 - Request for a parking variance for up to eleven parking spaces in association with the proposal to convert the building from light manufacturing / warehouse use to office use, in an M-1 (Light Industrial) District, a 84-X Height and Bulk District, and a Rincon Hill Commercial / Industrial Subdistrict.  
**(Proposed for Continuance to July 11, 2002)**

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay

2. 2002.0089D (M. WOODS: 415-558-6315)  
607 BELVEDERE STREET - west side between 17<sup>th</sup> and Carmel Streets, Lot 2 in Assessor's Block 1291 - Request for Discretionary Review of Building Permit Application No. 2001/1031/2222, proposing to convert a portion of the existing garage and attic into habitable spaces; construct a two-story side addition, three new dormer windows at the attic level, and a three-story deck and stairs at the rear of the single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of May 2, 2002)  
**(Discretionary Review Application Withdrawn)**

SPEAKER(S): None  
ACTION: Discretionary Review Application Withdrawn

3. 2002.0414TZ (P. LORD: 415-558-6311)  
FOURTH AND FREELON SPECIAL USE DISTRICT - Board of Supervisor's File No. 020549 - Consideration of an ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions to the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market rate units to be constructed with and allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land purchased by the developer, off-site affordable housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, (ii) the units shall be affordable to low- and moderate-income households with income not exceeding 60% of San Francisco's median-income and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization.  
Board of Supervisor's File No. 020550 - Consideration of an ordinance amending the San Francisco Planning Code Section by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.  
**(Proposed for Indefinite Continuance)**

SPEAKER(S): None  
ACTION: Continued Indefinitely  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis



ABSENT: Fay

**B. COMMISSIONERS' QUESTIONS AND MATTERS**

4. Consideration of Adoption - draft minutes of May 30, June 6, and 13, 2002.

SPEAKER(S): None

ACTION: May 30, 2002 and June 6, 2002 Approved as Corrected. June 13, 2002 continued to July 11, 2002.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

5. Commission Matters

**Commission Secretary:**

1) Commissioner Fay was not able to come to the hearing today because of a family emergency.

2) I received a call from Supervisor Amiano's office just prior to this meeting, informing me that the confirmation hearing scheduled before the Board of Supervisors to consider the recommended nominees to the Planning Commission will not take place as scheduled on July 8, 2002. Please note however that the public hearing schedule before the Rules Committee regarding this same subject will take place on July 2, 2002. If at least a quorum (four members) is not confirmed and sworn in prior to July 11, the Planning Commission hearing for July 11, 2002 will have to be cancelled. I bring this to your attention because it does affect items one and two on this calendar and may have some impact on other items as we move forward in the meeting today.

**Commissioner Theoharis:**

1) She received a letter from Bruce Selby of Lakeshore Acres. The neighbors are concerned about Albertson's deli section being expanded. Their concerns are: a) that they have permits; and b) if it will be considered fast food. Also, it seems there is now a proposed McDonald's where Boston Market is located. She would like to know if there is enough evidence or cause for a hearing to determine if they are following the provisions of their conditional use. Can a planner call Mr. Selby and Mr. Quiancini to follow up?

2) Thanked the Mayor for coming today. It has been an honor and a privilege for her to serve on this Commission. She thanked staff for all their support while she has been on the Commission.

**Commissioner Salinas:**

He also thanked the Mayor and this administration for the opportunity to be a part of this Commission. He also thanked his fellow Commissioners.

**Commissioner Chinchilla:**

Although commissioners have not always agreed, it has been a pleasure to serve on this Commission. It has been an honor to serve San Francisco.

**Commissioner Lim:**

It has been tremendous fun to serve on this Commission. The most important thing is that all the Commissioners are very dedicated to making this City a better place.

**Commissioner Baltimore:**

She thanked the Mayor. She has enjoyed working and getting to know her fellow Commissioners. She has obtained a better understanding of this City.

**Commissioner Joe:**



She also thanked the Mayor, her fellow commissioners, and the staff of the Planning Department.

## C. DIRECTOR'S REPORT

### 6. Director's Announcements

- He thanked the Mayor for honoring us with his presence and the words he gave to commissioners.
- He thanked the commissioners also for their hard work and also acknowledged that even though everyone did not always agree, agreement was not necessary or expected of everyone. He expressed that it is his belief that San Francisco has benefited from the decisions this Commission has made.

### 7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

#### **BOS:**

#### *Re: Cruise Terminal – Environmental Impact Report Appeal*

- The Commission certified an EIR that was appealed to the Board of Supervisors. The Board upheld the appeal of this environmental document.
- The issue was the discharge impact from cruise ships – the ballast water discharge. The EIR was remanded back to the Department to ensure that environmental planners respond to this issue. Subsequently, the document will be back before the Commission for consideration and that document will be sent back to the Board of Supervisors for their consideration.

#### *Re: Budget Committee*

- On Tuesday, there was an amended report from the Budget Analyst. Instead of eliminating the Planner 5 position and demoting some of the Planner 4 Environmental positions, they would now only be affected through attrition. Only if and/or when the people currently in these positions retire or leave would these positions be eliminated or reduced in class status. Another amendment was that instead of eliminating a Planner 3 position assigned to Neighborhood Planning, the position would be reassigned to an area where the workload and need is greater.
- We are also working with the Board of Supervisors to have the Planning Department's fees adjusted.

#### **BOA – No Report Given.**

## D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing must do so at this time. Each member of the public may address the Commission for up to three minutes.

#### *Re: 292 Ivy Street*

##### **(-) Peter Hadiaris**

- He submitted a copy of the lease agreement, which states that space should be used as office space only.

##### **(+) Deborah Chalsty**

- The lease that Mr. Hadiaris is speaking about has been terminated.

##### **(-) Carl McCartin**

- He has lived in this City for about 30 years.
- It is very difficult to park in the Hayes Valley area.

##### **(-) Moldoon Elder**

- The landlord did sign a 7-year lease offering parking spaces.

- He gave up 1,000 square feet because his lease required it; if the landlord built condominiums on the third floor and if they couldn't get a variance.

#### *Laguna Honda EIR*

##### **(+) Sandy Mory**

- She supports certifying the EIR.

##### **(-) Linda Kapnick**

- She lives in the Forest Hill area.
- She recently received the information regarding this project and this hearing.
- A lot of the views from residents of her neighborhood will be blocked and the beauty of the neighborhood will be changed.
- She is not against the project. She is just concerned about the EIR process.

##### **(-) Barbara Goode**

- She lives in Forest Hill. She is not against the project. She is opposed to the EIR process because there are false statements in the document.

##### **(-) Ed Cavagnaro**

- He supports the project that was approved in 1999. Yet he would like the Commission to look closely at the inadequacies contained in the EIR.

##### **(-) Duane Bloedow**

- He is aware of the massive changes to the master plan.
- He is opposed to the EIR.

##### **(-) Gladys Bloedow**

- The EIR is inadequate so she is against it.

##### **(+) Michael Lane – City Manager for the Laguna Honda Project**

- There are a variety of people and organizations that are supporting the Laguna Honda project.

##### **(+) Larry Funk – Executive Administrator of Laguna Honda**

- He believes that the EIR is complete, comprehensive and accurate.

##### **(+) Gilbert Del Mora – Midtown Terrace Resident**

- He read a letter from the association who is in support of the Laguna Honda EIR.

##### **(+) Joan Braconi – SEIU Local 250/Community Advisory Group**

- She is in support of the EIR.

##### **(+) Anthony Wagner – Executive Administrator for Hospital Systems – Department of Public Health**

- He supports the approval of the Laguna Honda EIR.

##### **(-) Roger Brandon**

- He is not in support of the EIR and hopes that the Commission does not approve it.

##### **(-) Tim Foirier**

- He is not in support of the EIR because the new design will cause a negative impact on the neighborhood and the quality of life of the Laguna Honda residents and neighbors.

##### **(+) Naomi Gray – Resident of Laguna Honda**

- She urges the Commission to certify the EIR.

##### **(+) Timothy Treacy – President of the Forest Hill Association**

- He would like to ask the Commission to not certify this EIR until a properly written one is issued.

##### **(-) Cristina Brickland**

- Resident of Forest Hill.
- She would like to not certify the EIR.

*Re: 965-985 Geneva Avenue & 852 Paris Streets*

##### **(-) Jiwanah Nasrah**

- She is against a Walgreen's coming into the neighborhood.

##### **(-) Ed Nasrah**

- He is against this project because it will cause other small businesses to close down. This has happened in other neighborhoods.

- He does not believe that Walgreen's is very interested in acquiring this spot since during this hearing and the last one they have not had representation here.

##### **(-) George Nasrah**

- He is against this project because it will not require parking for Walgreen's. He is co-owner of Daniel's Pharmacy and at one point they wanted to expand but were not allowed because parking was required.

**(-) Carol Rooney**

- She is against this project. She believes that if this proposal were in Pacific Heights, the Commission would probably deny it.

- She is concerned that many small businesses will close.

**(-) Daniel Pierini**

- He has lived in Crocker Amazon for 25 years.

- He is concerned that the community resources will cease if this proposal is approved.

**(-) Dexter Massoletti**

- The entire neighborhood is against this project.

**(+) Lawrence Lee – Project Sponsor**

- Walgreen's will benefit the neighborhood by paying property taxes.

- He knows that not everyone will be happy about this project.

- Without Walgreen's, there can be no fees for the housing. Without the housing, the Department will not support Walgreen's.

**(+) Dennis Chu – Project Sponsor**

- People who are not in support of this project are speaking about situations that happened many years ago.

- Walgreen's is a chain store but it's a clean business and they are honest.

- The financing will (not) be able to be reached if Walgreen's is not approved.

**(+) Michael Yamaguchi – Project Sponsor**

- The original plan was for Walgreen's to occupy the entire floor. The plans have been revised in order to accommodate the housing, elevators and loading dock.

- There will also be some spaces left vacant for small businesses to occupy.

**(+) Calvin Yee – Project Sponsor**

- He displayed a copy of the petition that people signed, which states that a Walgreen's pharmacy would come to the neighborhood.

- He displayed a column graph showing the total number of signatures supporting this project vs. opposing this project.

**(+) Tiffany Nguyen – Project Sponsor**

- There have been a number of business owners who are in support of this project because they would like to have more businesses in the neighborhood.

**(+) Sheila Pacheco – Outer Mission Residents Association**

- There is a need to have both large and small businesses in the neighborhood.

**(+) Catherine Pacheco – Outer Mission Residents Association**

- Her parents have lived in this neighborhood; she grew up in this neighborhood and her children are being raised there.

- She would really like to see the revitalization of this neighborhood.

- An anchor business will bring more business in the community.

**(+) Jeanna Haney**

- She is in favor of this project because the Apollo theatre has been closed for a number of years.

- This project will revitalize this neighborhood.

**(+) Robert Greco – Outer Mission Residents Association**

- He lives near the proposed site. The current building is a negative aspect of the neighborhood.

- Many of the neighborhood associations are in support of this project.

**(+) Steven Currier – Outer Mission Neighborhood Association**

- There are not that many neighborhoods that do not have parking problems.

- This neighborhood deserves the right to be a beautiful neighborhood.

**(+) Gabriel Ng – Project Architect**

- If he retains all existing retail, which is 3,000 square feet, Walgreen's would end up with less than 10,000 square feet because off-street loading is not required. Walgreen's may come up with a plan for off-street loading. If there were 10,000 square feet of retail, there would only be 2,800 square feet for frontage. This is not proportionately right.

**(+) Rebecca Silverberg – Excelsior District**



- - The association supports this project.
- There is a lot of open space already in the neighborhood.
- She is concerned about parking for the residents of the housing.
- (+) **Karen Hemer - OMRA**
- There are a lot of small businesses in the neighborhood but a general store is necessary.

## E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

8. 2002.0191D (P. VOLLMANN: 415-558-6405)  
292 IVY STREET - at the southeast corner of the intersection at Gough and Grove Streets, Lot 014 in Assessor's Block 0809 - Discretionary review request of Building Permit Application number 2001/12/28/6038, to legalize a seven stall parking garage on Ivy Street, in the Hayes Gough NCD, and a 50-X Height and Bulk District.  
 Preliminary Recommendation: Take Discretionary Review and approve parking with requirement to build dwelling units.  
**NOTE:** On May 16, 2002, following public testimony the Commission closed the public hearing and entertained two motions: 1) Take Discretionary Review and approve parking with requirement to build dwelling units. The motion failed to carry by a vote +2 -4. Commissioners Lim, Fay, Baltimore, and Chinchilla voted no. Commissioner Theoharis was absent. 2) Take Discretionary Review and disapprove the excess parking element of the project. The motion failed to carry by a vote +3 -3. Commissioners Salinas, Joe, and Baltimore voted no. Commissioner Theoharis was absent. At the call of the Chair, this matter was continued to June 13, 2002, to allow the absent commissioner to participate in the final action.  
**NOTE:** On June 13, 2002, the Commission continued this matter to June 27, 2002.

SPEAKER(S): None

ACTION: Took Discretionary Review and approved the building permit application as submitted with the condition that a building permit application for construction of the eight dwelling units as previously approved and issued under Building Permit Application Number 9910164 be filed within 18 months of June 13, 2002 and that construction of such residential units begin by June 13, 2004, provided that such deadline shall be extended on a day-by-day basis for each day that the commencement of construction is delayed as a result of any administrative or judicial challenge to the building permit. If construction of these units has not commenced by June 13, 2004, as such date may be extended by the tolling provision, then all of the excess parking spaces other than the four allowed for the two existing dwelling units must be removed and returned to the prior use as commercial space at that time.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

- 9a. 2001.1126QV (D. SIROIS: 415-558-6313)  
965-985 GENEVA AVENUE & 852 PARIS STREET (aka APOLLO THEATRE) - north side of Geneva Avenue, between Paris Street and London Street, Lots 5-10 on Assessor's Block 6409 - Request for conditional use authorization to merge 6 lots into one lot greater than 9,999 square feet pursuant to Planning Code Section 712.11; to allow Walgreen's Pharmacy to occupy commercial space on the ground floor and in a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21; and to allow the construction of 8 residential units without the required off-street parking pursuant to Section 161(j). There is also a request for a rear yard variance pursuant to Section 134. The Project Site is located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions

**NOTE:** On June 13, 2002, following public testimony, the Commission closed the public hearing and entertained a motion to approve the project. The motion failed to carry by a vote of +3 -2. Commissioners Baltimore and Joe voted no. Commissioners Chinchilla and Lim were absent. This matter was continued to June 27, 2002, to allow the absent commissioners to participate in the final action.

SPEAKER(S): None

MOTION: Approve with Conditions: Allow 2 storefronts instead of the proposed 3.

AYES: Lim, Salinas, Theoharis

NAYES: Baltimore and Joe

EXCUSED: Chinchilla

ABSENT: Fay

RESULT: Motion Failed

ACTION: Continued to August 1, 2002 at the call of the chair.

- 9b. 2001.1125CV (D. SIROIS: 415-558-6313)  
965-985 GENEVA AVENUE & 852 PARIS STREET (aka APOLLO THEATER) - north side of Geneva Avenue, between Paris and London Street, Lots 5-10 on Assessor's Block 6409 - Request for rear yard variance pursuant to Planning Code Section 134 to allow the new third floor to be occupied by residential units without providing the required rear yard at the residential level. The Project Site is located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family District in a 40-X Height and Bulk District

**NOTE:** On June 13, 2002, the Acting Zoning Administrator closed public hearing and continued the matter to June 27, 2002.

SPEAKER(S): None

ACTION: Acting Zoning Administrator has taken the matter under advisement.

10. 2002.0042CE (T. TAM: 415-558-6325)  
3632 LAWTON STREET - north side of Lawton Street, between 42<sup>nd</sup> and 43<sup>rd</sup> Avenues; Lot 3 n Assessor's Block 1888 - Request for a Conditional Use authorization pursuant to Planning Code Sections 710.11, 710.21, 710.39 and 710.81 for (1) development of a lot size greater than 4,999 square feet, (2) creation of a single commercial space for a non-residential use greater than 3,000 gross square feet, (3) demolition of residential use on the second floor, and (4) establishment of an institutional use (large) on the second floor in the NC-1 District and 40-X Height and Bulk District. The proposal is to demolish two existing two-story apartment buildings, with a total of 12 dwelling units, and construct a new church (Sunset Chinese Baptist Church), approximately 20,000 square feet in size and 40 feet in height.

Preliminary Recommendation: Disapproval

**NOTE:** On June 20, 2002, following public testimony, the Commission closed the public hearing and passed a motion of intent to approve by a vote of +5-0. Commissioners Fay and Salinas were absent. The Commission continued this item to June 27, 2002 for final action.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

ABSENT: Fay

MOTION: 16447

## F. REGULAR CALENDAR

11. 2002.0396C (G. CABREROS: 415-558-6169)



**2200 HAYES STREET (A.K.A. 450 STANYAN STREET)** - north side of Hayes Street between Stanyan and Shrader Streets Lots 038 and 039 in Assessor's Block 1191 - Request for Conditional Use to authorization under Section 304 of the Planning Code to amend an existing Planned Unit Development in order to revise the master signage program for an institutional use (St. Mary's Medical Center). The project site spans an RH-3 (Residential, House, Three-Family) District and an RM-2 (Residential Mixed, Moderate-Density) District and three (80-D, 80-E, and 130-E) Height and Bulk Districts. Preliminary Recommendation: Approval with conditions  
(Continued from Regular Meeting of June 20, 2002)

**SPEAKER(S):**

**(+) Brother George Cherrie – St. Mary's Medical Center**

- St. Mary's was founded in 1957 and the current campus was rebuilt after the 1906 earthquake.
- In 1995, the Commission approved a master plan for signage but the signs are outdated and need to be replaced.
- The proposed signs will be in various languages and will be improved.
- There has been opposition to the sign on the roof, which will be backlit. They have decreased the size of the proposed sign on the roof. The smaller roof sign will be the same size as the current roof sign but will still be backlit.

**(-) Kevin Kramer**

- He objects to one of the signs being backlit.

**ACTION:** Approved

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16448

12. **2001.1181C** (M. SMITH: 415-558-6322)  
**4627-4645 MISSION STREET** - east side of the street between Brazil and Persia Avenue, Lot 006 in Assessor's Block 6083- Request by Cingular Interactive for Conditional Use Authorization pursuant to Planning Code Section 712.83 to install one whip antenna on the rooftop and one associated equipment cabinet within the ground floor storage room of a commercial building located in a NC-3 (Moderate-Scale, Neighborhood Commercial) District and a 65-A Height and Bulk District. The subject property is a Location Preference 2 site according to the Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.  
 Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Ralph MacMullan – Moss & Associates – Representing Cingular Interactive**

- Cingular Interacting is a data message text service.
- This would be the first site of Cingular Interactive.
- Cingular Interactive assumed that since there was a previous approval, one antenna was installed. Before the antenna was operational, they were sent a notice of violation.
- They agreed that this antenna would not be operational until the appropriate permits were acquired.
- The antenna will be setback from the frontage of the building.

**ACTION:** Approved

**AYES:** Baltimore, Joe, Lim, Theoharis

**NAYES:** Chinchilla and Salinas

**ABSENT:** Fay

**MOTION:** 16449

13. **2002.0420T** (P. LORD: 415-558-6311)

**PLANNING CODE AMENDMENT FOR SECTIONS 132 AND 136** - Consideration of an ordinance amending Sections 132 and 136 of the Planning Code to require twenty percent setback areas remain unpaved and devoted to plant material and to prohibit parking within required setbacks.

Preliminary Recommendation: Approval

**SPEAKER(S):**

**(+) Supervisor Sandoval**

- There is an increase of 13% from 1990 to 2000 in vehicle transportation.
- This legislation amends the Planning Code. Developers, when putting in a setback, are required to put in landscaping. Landscaping should not be sacrificed.
- Green space is needed for everyone, especially working class neighborhoods.
- The legislation will probably be amended in Committee taking into account the Commissioners' comments as well as the Public's comments.
- Similar legislation has been passed in San Jose.
- He has received a number of phone calls in support of this legislation.

**(+) Lillie Simms – OMI NIA**

- She proposed this legislation to Supervisor Sandoval at one of his Town Hall meetings.
- Many people have built units in their garages and cannot park their cars.
- Her main concern or objection is that people are now parking their cars on sidewalks.

**(+) Daniel Weaver – OMI NIA**

- He has spent years trying to find out how to stop people from paving over their front yards.
- He is glad this legislation has been proposed. It is something good for neighborhoods.

**(+) Maria Hollins – OMI NIA**

- She is concerned about handicap people not being able to get into their cars because of cars that are parked on the sidewalks.

**(+) Alice Barkley**

- There has to be a narrow exception drawn for this legislation.

**(+) Regina Blosser**

- When a front yard is paved, it seems like there is no stopping people from parking on the sidewalk.

**ACTION:** Approved

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16450

14a. 2002.0050BD

(M. SNYDER: 415-575-6891)

**3251-3271 18TH STREET** - southwest corner of 18th Street and Shotwell Street, Lot 18 in Assessor's Block 3591 - Request for Planning Commission authorization under Planning Code Sections 320-325 to establish up to 49,999 gross square feet of office use in an M-1 (Light Industrial) District, a 50-X Height and Bulk District, and an Industrial Protection Zone (as designated under Planning Commission Resolution No. 16202) and within the Mission Interim Zoning District.

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Dan So – Developer Representing Local 261**

- This project will provide a new location and services for the Union.
- The architect is here if there are any questions.

**(+) Stan Warren – San Francisco Construction and Trades Council**

- This is a great project for the members of the union.
- There is no opposition to this project and it will bring great value to the community.

**(+) Luis Granados – Mission Economic Development Association**

- This is the kind of project that MEDA and MAC are in support of.

- It is connected to the neighborhood and is neighborhood serving

(+) **David Baker**

- He lives in the neighborhood and is in support of this project.

(+) **Sue Hestor – MAC**

- The union has been part of the community for a long time.

- This is what the Mission needs.

**ACTION:** Approved with Conditions as amended: The project sponsor has to comply with what is allowed in the Jobs Housing Linkage Program.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16451

14b. 2002.0050BD

(M. SNYDER: 415-575-6891)

**3251-3271 - 18TH STREET** - southwest corner of 18th Street and Shotwell Street, Lot 18 in Assessor's Block 3591 - Mandatory Discretionary Review of a proposal to construct a new building that would contain up to 49,999 gross square feet of office / community service use, approximately 4,700 square feet of ground floor retail / medical clinic use, and approximately 83 parking spaces. Mandatory Discretionary Review is required under both the Mission District Interim Controls (Board of Supervisor's Resolution 518-01) for the change of use from a vacant lot to a mixed-use building, and under Planning Commission Resolution 16202 for the development of office space in an Industrial Protection Zone. The project site is within an M-1 (Light Industrial) District, a 50-X Height and Bulk District, and an Industrial Protection Zone (as designated in Planning Commission Resolution 16202).

**SPEAKER(S):** Same as those listed in item 14a.

**ACTION:** Did not take Discretionary Review and approved the project

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

15. 2000.0005EZR

(L. GIBSON: 415-558-5993)

**LAGUNA HONDA HOSPITAL REPLACEMENT – Certification of the Final Environmental Impact Report (EIR)** prepared for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center and additional site improvements. The project includes: 1) demolition of all existing hospital facilities except the front wings of the Main Hospital Building; 2) construction of four new hospital buildings; 3) construction of an assisted living facility; and 4) expansion of existing outpatient programs and services. The new buildings plus the retained building area would total about 987,000 gross square feet (gsf) and would accommodate 1,200 hospital beds, plus 140 assisted living beds. The new hospital buildings would range from 4 to 7 stories tall, with heights up to about 86.5 feet. A total of 655 off-street parking spaces would be provided, an increase of 52 spaces above existing capacity. Off-street loading facilities would be consolidated into 11 loading spaces, about half the existing supply. The project site, which encompasses most of Assessor's Block 2842, Lot 7, is zoned P (Public Use) and is within two height and bulk districts: 80-D and OS (Open Space). The project requires a Zoning Map amendment and conditional use authorization. The 62-acre hospital campus, which is owned by the City and County of San Francisco, has been determined to be eligible for the National Register of Historic Places (NRHP) as an historic district and contains two buildings that appear eligible for NRHP listing as individually significant.

Preliminary Recommendation: Certify EIR

**NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on January 16, 2002. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Consideration of Findings and Final Action – Public Hearing Closed portion of the Commission calendar.**

SPEAKER(S): None  
 ACTION: Environmental Impact Report Certified  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
 ABSENT: Fay  
 MOTION: 16452

- 16a. 2000.0005KEZKCR (R. CRAWFORD: 415-558-6358)  
LAGUNA HONDA HOSPITAL REPLACEMENT PROJECT - 375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 - Request for an Amendment to the Zoning Map to change the height district for the developable areas of the property from 80 feet to 90 feet and to adjust the boundary between the developable areas and Open Space areas of the property to provide for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.  
 Preliminary Recommendation: Approval

SPEAKER(S):

**(+) Terry Hill – Medical Director of Laguna Honda Hospital**

- The design was changed to address light issues.
- They have tried very hard to design a building that would allow the most light for Laguna Honda Hospital residents.

**(+) Mary Louise Flemming – Director of Nursing at Laguna Honda Hospital**

- There were many driving factors surrounding this project: 1) they had to be consumer oriented; 2) they wanted to create a community that would fit into the neighborhood; and 3) deal with the clinical aspects of the project.

**(+) Robert Neil**

- The new buildings are very necessary.
- He hopes that the Commission will approve this project.

**(+) Evelyn Austin**

- She has received so much help from the doctors and nurses of Laguna Honda.
- This project deserves to be approved.

**(+) Rudy**

- This is a chance to show the rest of the nation what can be done. San Francisco is a trendsetter city.
- Light mean a lot to him and other people in Laguna Honda.
- He does not want to look at 4 walls.

**(+) Tony Wagner**

- He agrees with the Planning staff.
- He agrees with their findings and urges the approval of this project.

**(+) Joe O'Donaghue – Residential Builders**

- He supports this project because it will benefit the residents of Laguna Honda.

**(+) Ed Cavanaro**

- The plans for this project have been changing and changing.
- Although it is costing money for this project to be delayed, it is not fair to use this as an excuse since there has already been a 1-year delay just by changing the plans.

**(+/-) Barbara Good**

- She supports the project of Laguna Honda.
- She does not believe that height means light or height means health.

**(-) Dwane Plato**

- He supports the project at Laguna Honda yet he also supports the needs of the neighborhood.
- The plans have dramatically changed and he is not in agreement with these changes.

ACTION: Approved as amended: The zoning map amendments are approved with the adoption of CEQA findings.

AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis



ABSENT: Fay  
MOTION: 16453

- 16b. 2000.005EZKCR (S. VELLVE: 415-558-6263)  
LAGUNA HONDA HOSPITAL REPLACEMENT PROJECT - 375 LAGUNA HONDA BOULEVARD - SHADOW STUDY - Assessor's Block 2842 Lot 007- Request for a determination of the significance of the shadow impact on Midtown Terrace Park from the construction of a proposed 7 story, 87-foot-high building containing the expansion of the Laguna Honda Hospital.  
Preliminary Recommendation: Determination of no significant shadow impact.

SPEAKER(S): Same as those listed in item 16a.  
ACTION: Determined that there is no significant shadow impact.  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay  
MOTION: 16454

- 16c. 2000.0005EZKCR (R. CRAWFORD: 415-558-6358)  
LAGUNA HONDA HOSPITAL REPLACEMENT PROJECT - 375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 - Request for Conditional Use Approval under Planning Code Section 271.(a) for an exemption from the bulk requirement and under Section 157 for parking exceeding accessory amounts for the demolition and replacement of some of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.  
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): Same as those listed in item 16a.  
ACTION: Approved  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay  
MOTION: 16455

- 16d. 2000.0005EZKZCR (R. CRAWFORD: 415-558-6358)  
LAGUNA HONDA HOSPITAL REPLACEMENT PROJECT - 375 LAGUNA HONDA BOULEVARD - Assessor's Block 2842 Lot 007 - Request for General Plan Referral for the demolition and replacement of the existing facilities at the Laguna Honda Hospital and Rehabilitation Center. This Project is located within a P, Public Use, District and within the 80-D and OS (Open Space) Height and Bulk Districts.  
Preliminary Recommendation: Approval

SPEAKER(S): Same as those listed in item 16a.  
ACTION: Approved  
AYES: Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis  
ABSENT: Fay  
MOTION: 16456

- 17a. 2001.0378CV (M. LI: 415-558-6396)  
131 AND 145 TAYLOR STREET - west side between Eddy and Turk Streets, Lots 002 and 018 in Assessor's Block 0339 - Request for conditional use authorization to construct a building exceeding a height of 40 feet and the bulk controls above a height of 80 feet and to reduce the off-street parking requirement for a 67-unit residential building within an RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District, and an 80-T / 80-120-T Height and Bulk District.  
Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

**(+) Don Faulk – Housing Director of the Tenderloin Development Corporation**

- Residents of the Tenderloin area are interested in having more housing than parking.
- The location of this site is near public transportation and public parking locations.
- Glide Memorial Church is proposing a project that would include parking underground. They have been willing to offer parking spaces to residents of the neighborhood.

**(+) Marvis Hopes – President, North of Market Planning Coalition**

- They (the project sponsor) came up with parking alternatives that would provide white zone loading in front of the building for handicap access as well as a blue zone. Because of this, his organization has withdrawn its protest of the parking aspect of this project.
- They are now in full support of the project.

**(+) David Baker – Project Architect**

- Displayed graphics of the project.

**ACTION:** Approved with the requirement that the project sponsor apply with the respective agencies to establish the handicap parking and the white zone loading and passenger zone.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16457

- 17b. 2001.0378CV (M. LI: 415-558-6396)  
131 and 145 TAYLOR STREET - west side between Eddy and Turk Streets; Lots 002 and 018 in Assessor's Block 0339 – Rear yard modification sought. The proposal is the construction of a nine-story, 86-foot-high building containing up to 67 dwelling units and approximately 1,000 square feet of ground-floor commercial space within an RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District, and an 80-T / 80-120-T Height and Bulk District. The project will not provide a rear yard as required by Section 134 of the Planning Code, but it will provide a 2,800-square-foot landscaped central courtyard. Additional usable open space will be provided on the roof.

**SPEAKER(S):** Same as those listed in item 17a.

**ACTION:** Acting Zoning Administrator granted the rear yard modification.

18. 2000.1311ECD (A. AGUILAR: 415-558-5973)  
2690 HARRISON STREET (A.K.A. 3000 - 23RD STREET) - Assessor's Block 3639, Lot 4 - **Appeal of a Preliminary Mitigated Negative Declaration.** The project site is located at 2690 Harrison Street on Assessor's Block 3639, Lot 4, in the Mission District. The approximately 18,375-square-foot site is on the northwestern corner of Harrison Street and 23<sup>rd</sup> Street, in the block bordered by Treat Avenue, 22<sup>nd</sup> Street, Harrison Street, and 23<sup>rd</sup> Street. The proposed project would involve the demolition of an approximately 21,126-gross-square-foot (gsf) one-story plus mezzanine light industrial and office building and construction of a four-story building consisting of 54 residential units with 60 off-street parking spaces. The total floor area of the new building would be about 59,184 gsf. The proposed building would be about 40 feet in height, about 11 feet taller than the existing building. The project site has frontage on Harrison Street and 23<sup>rd</sup> Street, where pedestrian access to the project would be provided; vehicular access would be from 23<sup>rd</sup> Street. The site is within a C-M (Heavy Commercial) zoning district and 40-X height and bulk district.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration

## SPEAKER(S):

**(-) Sue Hestor – Appellant**

- The zoning context for this site is not adequately explained in the Negative Declaration.

- There should be an analysis in the negative declaration of what is the difference between an industrial area and a residential area and the dramatic change that has occurred in the Mission District.

- This area has been eaten alive by high-end housing.

- She would like to have context information, as well, on how this area has changed dramatically from light industrial to office and high-end housing.

**(-) Luis Granados – Mission Economic Development Corporation**

- He believes that the Negative Declaration is inappropriate.

- Previous projects, which have been previously approved on a case-by-case basis, are not stated in the document.

- It does not take into consideration the Planning Department's rezoning of the area.

**(+) Alice Barkley – Project Sponsor**

- This environmental review document takes into consideration existing context, like live work, which has already been constructed.

- She urges the Commission to support the negative declaration.

**(+) Judy West**

- They spent over two years working on a rezoning effort for this neighborhood.

- There is an effort to put housing in this area.

- A ban on housing is not what people have in mind for this area.

**ACTION:** Negative Declaration Upheld

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

**MOTION:** 16458

19a. 2000.1311ECD (D. SIDER: 415-558-6697)

2690 HARRISON STREET (A.K.A. 3000 – 23RD STREET) - northwest corner of 23rd Street; Lot 004 in Assessor's Block 3639 - Request for Conditional Use authorization to allow [1] the construction of fifty-four (54) dwelling units pursuant to Planning Code Section 215(a) and [2] the creation of housing not providing at least 25 percent of the total number of units as affordable units, pursuant to Board of Supervisor's Resolution Number 518-01 (Mission District Interim Controls). The proposal is to demolish an existing industrial building and construct a new four-story residential building with up to 60 off-street parking spaces. The property is within a C-M (Heavy Commercial) Zoning District, a Mixed-Use Housing Zone, and a 40-X Height and Bulk District.  
Preliminary Recommendation: No Recommendation.

**SPEAKER(S):**

**(+) Alice Barkley – Representing Project Sponsor**

- There are three major questions regarding this project: 1) should this project be delayed until the community planning process is completed? 2) Should this project have 25% inclusionary housing? 3) Whether the conversion of this site from heavy commercial/light industrial to residential use is appropriate?

- This project is an appropriate site for housing.

**(+) Thomas Shuen – Project Sponsor**

- His wallpaper company has become obsolete.

- He brought great pride and revenue to the Mission District and to San Francisco.

- This project of 54 units will become a source of pride and value to the neighborhood that he has served and has served him for 33 years.

**(+) Jose Montoya**

- He lives near the project.

- He supports the project because it will have seven much needed affordable units.

**(+) J.P. Stepani**

- He read a letter from a neighbor who supports the project.

**(+) Maria Leone**

- She lives on Harrison Street.
- She supports this project because it will improve the neighborhood.
- (+) **Myrina Sanchez**
  - She lives on 23<sup>rd</sup> Street.
  - She has born in the neighborhood.
  - The project will bring people from all income groups.
  - She hopes that the Commission will approve this project.
- (+) **Marjorie Baer**
  - She lives on Harrison Street.
  - She has a jewelry manufacturing business. She believes that this project will not have a negative affect on her business.
  - San Francisco needs housing and this project provides housing.
- (+) **Ken Fox**
  - He gave a financial report related to the project.
- (+) **Jeff Austin**
  - He has born and raised in the Bay Area.
  - He supports the project as it has been presented today.
- (+) **Preston Gaines**
  - His father is not a fly -by-night developer.
  - His father is a Mission District business owner who has worked at this site for more than 30 years.
  - This is the most responsible alternative use for this location.
- (+) **Mark Boyer**
  - He asks the Commission to look into the future and approve this project.
- (+) **Al Markus**
  - He has worked in construction for more than 10 years.
  - There are many positive aspects to this project.
- (+) **Curtis Hagfeldt – Bank of America**
  - He endorses this project as part of a solution to a big problem.
  - The number one issue is housing. The Mission is a vital backbone to this City.
- (+) **Milton Gaines – Co-Project Sponsor**
  - He concluded that residential housing would most benefit the City.
  - He talked to various organizations and spoke to various neighbors regarding this project.
- (+) **Patty Delgado**
  - She lives on 23<sup>rd</sup> and Treat Avenue.
  - She has worked with various organizations to improve the Mission District.
  - She and her husband have thoroughly looked over the proposed plans and is in favor of the project. She has been dismayed at the negative campaigning against this project.
- (+) **Olga Williams**
  - She worked for Milton Gaines and translated for him when he went around to speak to the neighbors.
  - Most of the neighbors do not want all low-income housing.
  - She is in support of this project.
- (+) **Fabrizio Sttepani**
  - He knows this site well and this project will improve the area.
  - This project is good because it will deal with the housing crises.
- (+) **Joe O'Donaghue**
  - Most of the arguments are that the Commission should wait to make a decision on this project until community planning is complete.
  - The other argument is that there should be something else built here.
  - The Commission should approve the project.
- (+) **Joe Cassidy - Construction**
  - He hopes that the Commission will approve this project.
- (+) **Judy West**
  - She lives in the neighborhood.
  - She is appalled that MEDA and Ms. Hestor are against this project.



- This project is what the City has been asking for.

**(-) Kyle Fiore – Mission Neighborhood Center, SPUR and MAC**

- There have been a number of loft units built in this area with no affordable housing attached to it. There is now zoning which asks for it and it is not taking place.

**(-) Al Lopez – Mission Neighbors**

- He is not opposing housing. He is opposing the bulk and size of the building.

**(-) Luis Granados**

- If this project is approved it will be directly in contradiction to existing policies for protecting industrial space in the NIMIZ.

- The property owners have been good business owners and have hired neighborhood residents to work there yet the neighborhood will not benefit by this project.

- Sixty percent of the people in this neighborhood will not be able to afford the units.

**(-) Don Whorton**

- He is surprised at the many things that he has been accused of.

- He urges the Commission to deny this project.

**(-) Sue Hestor**

- One bedroom units have one to two people in them.

- Some design issues need to be worked out before this project is approved.

**MOTION 1:** Approve, but require staff to continue to review and ultimately approve the design. The motion did not receive a second.

**RESULT:** Motion Failed

**MOTION 2:** Approve with modifications to require staff to approve the design, the bedroom mix and the open space.

**AYES:** Chinchilla, Lim, Theoharis

**NAYES:** Baltimore, Joe, Salinas

**ABSENT:** Fay

**RESULT:** Motion Failed

**ACTION:** At the call of the Chair, project continued to July 18, 2002.

- 19b. 2000.1311ECD (D. SIDER: 415-558-6697)  
2690 HARRISON STREET (A.K.A. 3000 - 23RD STREET) - northwest corner of 23rd Street; Lot 004 in Assessor's Block 3639 - Mandatory Discretionary Review of a proposal to change the use of the subject property from industrial [pursuant to Planning Code Sections 225 and 226] to residential [pursuant to Planning Code Section 215(a)]. Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any change of use within the Mission District. The property is within a C-M (Heavy Commercial) Zoning District, a Mixed-Use Housing Zone, and a 40-X Height and Bulk District.

Preliminary Recommendation: No Recommendation.

**MOTION 1:** Take Discretionary Review and approve the project with modifications to require staff to approve the design. The motion did not receive a second.

**RESULT:** Motion Failed

**MOTION 2:** Take Discretionary Review and approve with modifications to require staff to approve the design, continue to work on the bedroom mix and the open space.

**AYES:** Chinchilla, Lim, Theoharis

**NAYES:** Baltimore, Joe, Salinas

**ABSENT:** Fay

**RESULT:** Motion Failed

**ACTION:** At the call of the Chair, project continued to July 18, 2002.

**G. DISCRETIONARY REVIEW HEARING**

- At Approximately **7:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

20. 2002.0151DEK (D. SIDER: 415-558- 6697)  
**480 POTRERO AVENUE** - northwest corner of Mariposa Street, Lot 002C in Assessor's Block 3973 - Mandatory Discretionary Review of Building Permit Application Number 2001.11.27.3854, proposing to (1) change the use of an existing industrial building to a 55 unit residential care facility, (2) construct a vertical addition, and (3) perform interior and exterior alterations in an M-1 (Light Industrial) Zoning District, a 65-B Height and Bulk District, and an Industrial Protection Zone as set forth by Planning Commission Policy expressed in Resolution Number 16202. Mandatory Discretionary Review is required by Board of Supervisors Resolution Number 518-01 (Mission District Interim Controls) for any permit proposing to change the use of a property within the Mission District.  
 Preliminary Recommendation: No Recommendation  
 (Continued from Regular Meeting of June 13, 2002)

**SPEAKER(S):**

**(+) Alice Barkley – Project Sponsor**

- This is a residential care facility.
- This area is an extremely busy corridor.
- An institutional use would be appropriate even though it's residential.
- A lot of the services for the extremely poor elderly will be provided.
- This is a good project and is needed in the community.

**(+) Padraic (Pat) Lackey – NCCRC, Local 22 Carpenter's Union**

- There is a real need for residential care facilities.
- He cannot see a business succeeding in this location.
- This building will be built with union labor.

**(+) Ken Burgess – Hooper, Lundy and Bookman – Structural Engineer**

- He explained and gave a description of why the current building is not appropriate for residential use.

**(+) Paul Martin – Schwartz and Lindhem – Electrical Contractor**

- He was fortunate enough to place his mother in an assisted senior home.
- He supports this project because this is an opportunity to give back to the elderly.

**(+) Judy West**

- She appreciates the need for this kind of facility.
- There is not another similar use in the Mission District.
- The location of this project is the correct one.

**(+) Jon Brevik – Project Sponsor**

- He turned in a letter of support for the project.

**(-) Kyle Fiore – Mission Neighborhood Center, SPUR**

- She is concerned with the location of this project.
- Potrero is a heavily traveled six lane street.
- Pollution is another issue because there is an auto body shop next door.
- Her other concern is affordable housing.

**(-) Luis Granados – MEDA**

- He displayed a map of where the subject project will be located.
- This project is in the middle of industrial space.
- There are issues about the NIMIZ.

**ACTION:** Approved with conditions as amended: applicant is to continue to work with staff to refine the façade design to be sure that the design complies with the applicable design guidelines and to ensure that the project complies with the building code requirements.

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas

**ABSENT:** Fay and Theoharis

21. 2002.0527D (T. WANG: 415-558-6335)  
4023 26TH STREET - south side between Noe and Sanchez Streets; Lot 036 in Assessor's Block 6564 - Staff-initiated Discretionary Review of Demolition Building Permit Application No. 2001/06/26/2367 to demolish the existing single-family dwelling and replace it with a two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Building Permit Application as submitted.

## SPEAKER(S):

**(+) Steve Fama – Project Sponsor**

- The house has too many problems. It's tending toward decrepit.
- He and his brother would like to live in the two new units.
- It will be an improvement to the neighborhood and they all support this project.
- He hopes that the Commission will approve the permit application as submitted.

**(+) Rober Fama**

- The proposed project will allow he and his fiancé to live in the house his grandfather owned.

ACTION: Did not take Discretionary Review and approved the project as proposed.  
 AYES: Baltimore, Chinchilla, Joe, Lim, Salinas  
 ABSENT: Fay and Theoharis

22. 2002.0573DD (V. RYAN: 415-575-6812)  
530-47TH AVENUE - East side between Geary Boulevard and Anza Street, Lot 043 in Assessor's Block 1498 - Requests for Discretionary Review of Building Permit Application No. 2002/0219/9488S, proposing a third floor addition at the rear of the existing two-story single-family house in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

## SPEAKER(S):

**(-) Bill Gilmore – 1<sup>st</sup> Discretionary Review Requestor**

- The character of the mid block open space is of two story buildings. It has been this way since the 1940s.
- He disagrees with the Planning Department's analysis stating that there are few items that the residential design guidelines fail to meet.
- Setting the addition back from the face of the façade can reduce the impact of the addition.
- He would like to know why the height cannot be reduced, why there is no set back, and why the design is set all the way past the bay window?

**(-) Bret Horton – 2<sup>nd</sup> Discretionary Review Requestor**

- He would like the Commission to disallow the 3<sup>rd</sup> story addition.
- There are various neighbors who are also opposed to the addition.
- He is concerned with his privacy. The windows and roof are out-of-character with the neighborhood.

**(-) Jason Youngrise**

- He is not against the home yet he requested site poles and instead he received a photo with an ink outline.
- He would like to diminish the visual impact of this project.

**(-) Rocky Mo**

- If this house is built, it will block the sun and air to his home.

**(+) Richard Parker – Project Sponsor**

- The subject property is listed in San Francisco Planning Department's survey of contributing and significant structures.
- The proposed addition cannot be located at the front of the property because of this status.

**(+) Edward Vilhauer**

- He has lived in San Francisco all his life and has a gardening company.
- He has tried everything to get rid of the rats that inhabit his property.
- He has made great efforts to speak to all his neighbors.
- He has gone door to door to explain to his neighbors this project and show them the plans.

**(+) Liane Barney**

- She loves this neighborhood and has lived there for 18 years.
- It took them a long time to own a home in San Francisco.
- There is a serious rodent problem in the back of the house and it has become a real health issue.
- People have blown this project out of proportion.

**(+) Ava Vilhauer**

- She would like to have her own room.
- All her friends support this project.
- She would like the Commission to approve her parents project.

**ACTION:** Did not take Discretionary Review and approved the project.

**AYES:** Baltimore, Chinchilla, Lim, Salinas

**NAYES:** Joe

**ABSENT:** Fay and Theoharis

23. 2002.0452D (T. TAM: 415-558-6325)

75 MIRALOMA DRIVE - south side, between Juanita Way and Bengal Alley; Lot 34 in Assessor's Block 2973 - Discretionary Review request for Building Permit No. 2000/02/23/2627 to construct a new three-story-over-garage, single-family dwelling, approximately 4,958 square feet in size (including garage) and 40 feet in height, on a presently vacant parcel. The subject property is currently located in an RH-1-D (Residential, House, One-Family, Detached) District and 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

**SPEAKER(S):** None

**ACTION:** Without hearing, continued to August 1, 2002

**AYES:** Baltimore, Chinchilla, Joe, Lim, Salinas, Theoharis

**ABSENT:** Fay

## H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))



**Alice Barkley**

- She thanked the Commission for all their hard work. It has been an honor to work with you all.

Adjournment: 9:35 p.m.



SF  
C55  
#10  
12/5/02

# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, December 5, 2002

**12:30 PM**

**Regular Meeting**

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**COMMISSIONERS PRESENT:** Michael J. Antonini; Rev. Edgar E. Boyd; Shelley Bradford Bell; Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 12:35 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian - Deputy City Attorney; Jean-Paul Samaha; Pedro Arce; Geoffrey Nelson; Michael Li; Leigh Kienker; Rick Crawford; Dan Sider; Ben Fu; Michael Smith; Jonathan Purvis; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

**A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Planning Commission will consider a request for continuance to a later date. The Planning Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2001.1174E (T. CHAN: (415) 558-5982)  
436 CLEMENTINA STREET - **Appeal of a Preliminary Negative Declaration:**  
Assessor's Block 3732, Lot 62. The site is part of the major city block bounded by Howard Street to the north, Folsom Street to the south, 5th Street to the east, and 6th Street to the west within the South of Market neighborhood. Clementina and Tehama Streets are minor streets bisecting this city block. The proposed project would demolish the existing one-story, 5,000-square-foot warehouse on this 5,625-square-foot site and construct 28 residential condominium units over approximately 1,250 square feet (sq. ft.) of ground-floor commercial space, and eight off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 37,975 sq. ft. and 85 feet in height, an increase of 32,348 sq. ft. and seven stories in height above the existing structure. The project site is located within the RSD (Residential Service Mixed-Use) zoning district and within the 40-X/85-B height and bulk district. Projects within the RSD zoning district require a conditional use authorization to determine the residential density for buildings over 40 feet in height. The project site is also within the South of Market Redevelopment Plan Area.

Preliminary Recommendation: Uphold Preliminary Negative Declaration.  
(Proposed for Continuance to January 9, 2003)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.0333E (J. KUGLER (415) 558-5983)  
270 VALENCIA STREET - Lot 9 in Assessor's Block 3533. The site is located on an irregular-shaped parcel surrounding the southwest corner lot of Valencia and Brosnan Streets with frontages on both Valencia and Brosnan Streets. **Appeal of a Preliminary Mitigated Negative Declaration.** The project involves demolition a single-story unreinforced masonry structure and the construction of one large building that would cover the entire project site with 28 dwelling units in two four-level structures separated by a raised second-level plaza/open space over a ground floor with parking and retail space. The 31 proposed parking spaces would be on two levels. A pedestrian entrance and 21 underground parking spaces would be accessed from Valencia Street. An additional pedestrian entrance and 10 parking spaces would be accessed from Bronson Street. The project site is located in the Mission Neighborhood, is zoned C-M (Heavy Commercial) and is within the 50-X Height and Bulk District.  
Preliminary Recommendation: Uphold the Mitigated Negative Declaration.  
(Continued from Regular Meeting of November 14, 2002)  
(Proposed for Continuance to January 9, 2003)

SPEAKER(S): None  
ACTION: Continued as Proposed  
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2000.1311EQD (D. SIDER: (415) 558-6697)  
2690 HARRISON STREET (A.K.A. 3000 - 23<sup>rd</sup> STREET) - northwest corner of 23rd Street; Lot 004 in Assessor's Block 3639 - Request for Conditional Use Authorization to allow [1] the construction of 54 dwelling units pursuant to Planning Code Section 215(a), [2] the creation of housing not providing at least 25 percent of the total number of units as affordable units pursuant to Section A (iv) of the Mission District Interim Controls (MDIC; as set forth in Board of Supervisors Resolution Number 500-02), [3] the conversion of a PDR (Production, Distribution, or Repair) use to a non-PDR use pursuant to Section E(v) of the MDIC, and [4] the provision of off-street parking in excess of that which is required pursuant to Section A(x) of the MDIC, in a C-M (Heavy Commercial) Zoning District, the NEMIZ (Northeast Mission Industrial Zone) as defined in Planning Commission Resolution 13794, a Mixed-Use Housing Zone as defined in Planning Commission Resolution 16202, and a 40-X Height and Bulk District. The proposal is to demolish an existing 21,000 square foot industrial building and construct a new structure containing 54 dwelling units on upper levels and 60 off-street parking spaces in a ground level garage. The building would be a maximum of four stories tall (approximately 40 feet in height).  
Preliminary Recommendation: No Recommendation.  
(Continued from Regular Meeting of July 18, 2002)  
**NOTE: On June 27, 2002, following public testimony, the Commission closed the public hearing. The Commission entertained two motions: 1) Approve with modifications to require staff to approve design. The motion failed to carry for lack of a second; 2) Approve with modifications to require staff to approve design, bedroom mix and open space. The motion failed to carry by vote of +3 -3. Commissioners Baltimore, Joe and Salinas voted no. Commissioner Fay was absent. At the call the Chair, the matter was continued to July 18, 2002.**  
(Proposed for Continuance to December 12, 2002)



SPEAKERS: None  
ACTION: Continued as Proposed  
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**Note:** The vote for continuance on this matter only was rescinded to allow speakers.  
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SPEAKER(S):  
*Re: Continuance*

**Erick Quesada – Mission Anti-Displacement Coalition**

- There has been an enormous amount of community planning from both the Planning Department as well as residents of the Mission District.
- Any decisions should be waited on in order for the Commission to be briefed.
- It is really important to wait to hear cases located in this district and that this case be continued until after the briefing.

**Cris Sielig – Mission Anti-Displacement Coalition**

- She is also in agreement to continue projects which involve residents of the Mission District until the Commission has been briefed on the community planning in this area.

ACTION: Because the project sponsor left after the initial action and was not present to hear and respond to comments made by members of the public, the Commission again **continued this matter as it was proposed** with the understanding that any request for further continuance could be addressed at that time.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**B. COMMISSION MATTERS**

4. Commission Comments/Questions

**Commission Secretary:**

- 1) For the record to be clear on how each Commissioner votes, she requested that Commissioners verbalize their vote clearly, raise their hand, or institute a roll call voting procedure. **(President Bradford Bell instructed that a roll call voting procedure be used from this point on.)**
- 2) Recently, department staff went through what they thought was a general public meeting training session. It turned out that the training session was really designed for Commissioners or Commissions. The material provided to staff will be copied and forwarded to you. If anyone is interested, I will arrange this training for you individually or as a body.

**Commissioner Antonini:**

- He made comments regarding the 4<sup>th</sup> and Freelon project.
- He would like to clarify that the Commission did not at any time discuss this project in regards to height or bulk, nor did they have any input from any of the neighbors.
- He understands that this case will be coming before the Commission in the future.
- He wanted to mention this to the public so that there are no misunderstandings that there is an approval of the project already.

**C. DIRECTOR'S REPORT**

5. Director's Announcements

- Expressed his hope that Commissioners had a great Thanksgiving.

*Re: Briefing Sessions*

12/10/02 – Briefing on the General Plan and the San Francisco Wireless Telecommunications Facilities Siting Guidelines.

12/12/02 – Department's Citywide Action Plan which is a way of explaining how all of the long-range planning efforts are related to some common objectives and goals.

12/17/02 - Better Neighborhood's Programs which involve three areas of the City.

12/19/02 – Eastern Neighborhoods like the Industrial Zones, the areas that were subject to the Industrial Protection Zone policies and were under the greatest pressure to change: Mission District, Showplace Square, SOMA, Visitation Valley and Bay View Hunter's Point. This order is somewhat important.

1/9/02 – There are no briefings scheduled on this date. This hearing will involve mostly action items.

1/16/02 – Presentation on various alternatives that are coming out of the eastern neighborhoods community planning workshops. The Commission will make statements on preferences of alternatives in these areas. This is tentative.

1/23/02 – There are no specific items calendared but there will probably be coordination briefings with other departments.

*Re: Zoning Administrator*

- Congratulated Larry Badiner, Zoning Administrator, on becoming a member of the Alpha Lambda Organization for the Real Estate and Land Use Industry.

6. Review of Past Week's Events at the Board of Supervisors and Board of Permit Appeals

**BOS:**

The full Board did not meet because of the Thanksgiving Holiday.

*Re: Finance Committee - Fourth and Freelon Special Use District Ordinance*

- He transmitted the Commissions' comments on this project to the Committee.
- There will be some amendments made to this ordinance.

*Re: BOS hearing on December 9, 2002:*

1) There is an appeal of a Conditional Use located at 2444 to 2454 Noriega Street and the authorization granted by the Director on October 17, 2002. This case is scheduled to be heard by the Board of Supervisors on December 9, 2002. The appellants feel the project is unnecessary and incompatible with the area.

2) Supervisor McGoldrick has scheduled two hearings before the Transportation and Commerce Committee on Thursday, December 12, 2002. The first one will be to hear an update on the revised housing element of the General Plan and the second will be to hear the Citywide action plan. That day is when the Commission will be briefed on the same subject so staff has asked to have this item continued.

*Re: Small Business Commission*

- Staff will be attending the Small Business Commission on Monday evening, December 9, 2002, in Room 400. The Department will be doing a presentation on the community planning process on the Eastern Neighborhoods and the impact on small businesses. This is a non action item but staff will be there to answer questions.

**BOA**

- Craig Nikitas represented the Zoning Administrator and the Commission at the Board of Appeals.

- The previous Commission took Discretionary Review on 335 Country Club Drive in the Parkside District near the Zoo for a one-story house. The proposal was for a 1,400 square foot (sf) addition to the second story. The Commission took Discretionary Review and modified the project by reducing the size of the sf to 900 and made modifications to the entry design. The permit was finally issued but was appealed. The Board of Appeals overruled the Commission +4-1 and increased the size of the second floor addition to 1,100 sf.

7. Briefing on:  
a) Budget and Related Work Program Issues.  
b) Upcoming Budget Issues for 2003-2004.

**SPEAKER(S):****Deborah Stein – GCS Strategies**

- She is a member of Friends of City Planning which raises funds to advance the work of the department outside, above and beyond the City Planning budget process.

- Friends of City Planning does not involved itself with the budget of the City.

**ACTION:** Informational only. No action required.

**D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

**None**

**E. REGULAR CALENDAR**

8. 2002.0691B (P. ARCE: (415) 558-5986)  
499 ILLINOIS STREET – MISSION BAY SOUTH BLOCK X4 - Request under Planning Code Section 321(Office Development - Annual Limit) for a determination of the design quality of the proposed office development for a six-story building including 429,542 square feet of office space, approximately 14,294 square feet of retail space; parking for 484 vehicles and 25 bicycles; approximately 8,546 square feet of common areas; approximately 16,478 square feet of mechanical services and loading facilities; approximately 45,000 square feet of open space; and the development of adjacent sidewalks and landscaping, for a total of approximately 470,000 gross square feet, pursuant to Resolution No. 14702 by which the Planning Commission adopted findings pursuant to Planning Code Section 321(b)(1) that the office development contemplated in the Mission Bay South Development Plan in particular promotes the public welfare, convenience and necessity, and in so doing, considered the criteria of Planning Code Section 321(b)(3)(A) through (G).  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):****(+) Marsha Rosen – Executive Director – Redevelopment Agency**

- This project involves very close work between the Planning Department and the Redevelopment Agency.

- She looks forward to a close working relationship between the Commission and the Redevelopment Agency.

**(+) Amy Neches – Senior Project Manager**

- Gave a Powerpoint presentation on the aspects of the project and a general overview of the projects in Mission Bay.

**(+) Paul Paridi – Partner with Hines Corporation**

- This project began to evolve over a year ago.

- He introduced the other team members of ECOR, Hines, land use attorneys and development consultants.

**(+) John Packard**

- This project will involve the design procedures set forth for the Mission Bay area.

- He gave a PowerPoint presentation giving a general overview of the project.

**(+) Coreen Woods – Vice Chair of the Mission Bay Citizens Advisory Committee**

- She has been involved in this process since 1985.

- They felt very strongly about the height, mass and bulk yet she feels that this project exemplifies what the committee wanted to see.

- The CAC unanimously supports this project.

**ACTION:** Approved

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**MOTION:** 16483

9. 2002.0395C (G. NELSON: (415) 558- 6257)  
**417 31<sup>ST</sup> AVENUE** - northwest corner at the intersection of Clement Street and 31<sup>st</sup> Avenue; Lot 001 in Assessor's Block 1463 - Request for Conditional Use authorization pursuant to Section 710.83 of the Planning Code to install a total of six antennas and related equipment within the belfry of an existing two-story, 40-foot tall (58 feet to top of tower), publicly-used structure known as the Lincoln Park Presbyterian Church, as part of Cingular's wireless telecommunications network within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is a publicly-used structure.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of October 17, 2002)

**SPEAKER(S):** None

**ACTION:** Without hearing, continued to January 16, 2003

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 10a. 2002.0466EIKXC (M. LI: (415) 558-6396)  
**555 and 575 MARKET STREET** - south side between First and Second Streets; Lots 057 and 058 in Assessor's Block 3708 - Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions including: an exception to the separation of towers requirement as permitted in Section 132.1(2), an exception to the rear yard requirements as permitted in Section 134(d), and an exception to the bulk requirements as permitted in Sections 270 and 272, and an exception to the requirement for independently accessible parking spaces as permitted in Section 155(c). The proposal is to allow (a) the relocation of approximately 81,700 square feet of office space from 575 Market Street to a horizontal addition at 555 Market Street, (b) the conversion of approximately 241,400 square feet of office space at 575 Market Street to up to 134 dwelling units, and (c) the provision of approximately 136 independently accessible parking spaces or approximately 176 parking spaces with valet service, which is the subject of a concurrent request for Conditional Use authorization. The project site lies within a C-3-0 (Downtown Office) District and a 300-S and 500-S Height and Bulk District. Preliminary Recommendation: Approval with Conditions



## SPEAKER(S):

**(+) Pamela Duffy – Representing Project Sponsor**

- This project involves a very big and exciting idea.

**(+) Geoffrey Heller – Heller/Manus Architects**

- Gave a PowerPoint demonstration displaying the architectural aspects of the project.

**(-) Tania Jamica**

- She is a security officer.

- She is concerned about being able to have enough security in the building. Now that there will be tenants, this involves more work.

**(+) Gabriel Netcaff – SPUR**

- SPUR supports this project.

- This project will mark a major step toward bringing downtown San Francisco into a 24 hour neighborhood—making it feel more active.

- This location has the best transit as well.

ACTION: Approved

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16484

- 10b. 2002.0466EIKXC (M. LI: (415) 558-6396)  
555 and 575 MARKET STREET - south side between First and Second Streets; Lots 057 and 058 in Assessor's Block 3708 - Request under Planning Code Section 303 for a Conditional Use authorization to provide parking in excess of the amount allowed as an accessory use, as part of a proposal to allow (a) the relocation of approximately 81,700 square feet of office space from 575 Market Street to a horizontal addition at 555 Market Street, (b) the conversion of approximately 241,400 square feet of office space at 575 Market Street to up to 134 dwelling units, and (c) the provision of approximately 136 independently accessible parking spaces or approximately 176 parking spaces with valet service. The proposal is also the subject of a concurrent hearing requesting a Determination of Compliance and the granting of exceptions pursuant to Section 309 of the Planning Code. The project site lies within a C-3-0 (Downtown Office) District and a 300-S and 500-S Height and Bulk District.  
 Preliminary Recommendation: Approval of 164 parking spaces (with valet), with conditions

SPEAKER(S): Same as those listed in item 10a.

ACTION: Approved as amended by the Zoning Administrator:

Presuming that the Project Sponsor provides 134 dwelling units, the inclusionary housing requirement shall be as follows: 12 percent or 16 units if provided on-site, 17 percent or 22 units if provided off-site, or the payment of an in-lieu fee which shall be determined according to the procedures set forth in Section 315.6. This condition of approval shall constitute the written determination and notice of the inclusionary housing requirement pursuant to the procedures set forth in Sections 315.4(a)(2) and 315.5(a).

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16485

11. 2002.0124E (L. KIENKER: (415) 558-5970)  
2815 DIAMOND STREET (AKA Glen Park Marketplace) - **Appeal of a Preliminary Negative Declaration** - The project site is located in the Glen Park neighborhood, on the southeast corner of Diamond and Wilder Streets, Lots 25A, 26, 27, 28, 29, and 63, Assessor's Block 6745. The proposed project includes an approximately 8,759 gross-square-foot (gsf) public library, which would replace an existing branch library located at 653 Chenery Street, a 7,037 gsf neighborhood-serving grocery store, and a 22,520 gsf

apartment block of 15 two-bedroom units. The proposed project would include 15 off-street residential parking spaces and two loading spaces, as well as the removal of 25 existing metered public parking spaces. An existing sewer line beneath Lot 29 would be realigned into Wilder and Diamond Streets and the easement vacated as part of the project. The project site is in the NC-2 (Neighborhood Commercial, Small-Scale) zoning district and a 40-X height and bulk district. The applicant would seek conditional use authorizations for use and lot size and variances to modify parking, rear yard, dwelling unit exposure, and open space requirements.

Preliminary Recommendation: Uphold Preliminary Negative Declaration  
(Continued from Regular Meeting of November 21, 2002)

*Re: Continuance*

**Jay Estey – Glen Park Merchants/Residence**

- He sent a letter to Commissioners that contains significant details that have not been addressed.
- There is not enough information for Commissioners to make an informed decision--that is why he would like this case continued.
- There is also a sherette planned that will address the overall design for future development of this neighborhood. This should be completed before this case is heard.
- There is data which needs to be submitted to the Commission as well as other issues that are still being manifested.

**Chris van Loben Sels**

- Further study would benefit the Commission's decision. That is why they would like this case continued.

**Andrea O'Leary**

- Her organization was left out of this process and she cannot believe that this case is proposed to be heard.
- This will impact them very much.

**David Prowler – Representing Project Sponsor**

- There are about 20 or 30 people here who have taken time off from work and are here to speak.
- There has been enough notice so he does not believe that people were not notified.
- He would like to ask that the Commission not continue this item.

**Randy Lins**

- He would like that this matter be continued and the sherette finished so that there is true public input.
- This issue is not right for determination yet.

**Dan Tuttle**

- He knows that the sherette has not been completed.
- He would like to suggest that the sherette be completed before the hearing.

**Susan Hildreth – San Francisco Public Library**

- She is not in agreement with the continuance of this project.
- There are time constraints with government agencies that require the Commission make a decision today.

**Mark Zinky – Glen Park Neighborhood Group of Concerned Citizens**

- He would like this hearing to be continued.

*Re: Merits of Case*

**(-) Gary Pike – Appellant**

- He is opposing this project because it will cause traffic congestion, a deficit of parking spaces, and it will have adverse impacts on neighborhood retail, housing and character.
- More than 600 people have signed petitions to reduce the size of this project.
- This project also does not comply with prop M
- Underground parking was also proposed but is not proposed anymore.
- There are various issues which still have not been addressed.
- He hopes that the Commission will uphold the appeal.

**(-) Chris Wheaton**

- His specific concern is that there are quite a few underutilized sites around the Glen Park Marketplace area which may or may not have been focused on to determine whether they can be utilized to provide parking for the public that would be using the marketplace.

**(-) Tom Huber**

- He is opposed to this report because it inadequately addresses pedestrian safety.  
- He displayed a video of a very dangerous intersection in the area.

**(-) Dan Tuttle**

- He believes that Glen Park will be a guinea pig for the transit-first policy.  
- They submitted a request that this area have a thorough traffic analysis. The response was that it was not necessary.  
- The traffic problem is a very big issue and needs to be addressed before this project is approved.

**(+/-) Lee Guion**

- She has been following this project for four years.  
- She believes that alternatives need to be looked at regarding parking.  
- She supports the project.

**(-) Cathleen Tracy**

- Her biggest concern is traffic.

**(-) Chris van Loben Sels**

- His biggest concern is that his young son will be exposed by contaminated soil and ground water.  
- He is also concerned with traffic safety and congestion.

**(-) Zoanne Nordstrom**

- She supports the Negative Declaration.

**(-) Hal Jordy**

- He supports this project and hopes that the Commission will approve the project. Many people have been waiting for this project.  
- A library is very much needed in this area.

**(+) Beth Weise**

- This project is good for the neighborhood.  
- It is a reality that San Francisco will have more people and there will be more congestion.

**(-) Andrea O'Leary**

- She is very involved in her neighborhood.  
- She has to drive in her neighborhood so she knows that with this project there will be problems with parking.  
- There will also be shadows because of the large building and no one has talked about that.

**(-) Lisa Cluber**

- She is opposed to this project because parking is a very tough issue in this area.  
- The building is also out of scale with the neighborhood.

**(-) Michael Yochum**

- He is opposed to this project because he does not believe that the Environmental Impact Report addresses the issues of parking and traffic congestion.

**(-) Caroline Helser**

- She is opposed to the preliminary negative declaration because she is concerned with traffic and danger to pedestrians.  
- The purpose of the library is to attract more people and children. This site will cause parking spaces to be eliminated causing cars to circle more and more around the area looking for parking. This will cause more of a hazard for pedestrians.

**(+) Steve Goldbeck**

- He supports this development because it is consistent with the City's Transit First policy

**(+) Sheila McCarthy**

- She urges the Commission to approve this project.

**(+) Angus McCarthy**

- Not everyone will agree at the same time.
- The environmental report states that this project will be good for the community and it is. He hopes that the Commission will approve this project.

**(+) Carol Koffel**

- This project should be approved.
- She believes that the owner of this project has gone through the proper steps to do the environmental report.

**(+) Linda Montgomery**

- She believes that this project is being held hostage by the traffic problems caused by having a BART station in the neighborhood.

**(-) Mark Zinky**

- He displayed poster size photographs of the intersection where there will be traffic and pedestrian problems.
- This project is too large.

**(+) Maria Hekker**

- She urges the Commission to support this project.
- It is a hardship for people who are elderly to be able to walk far away. This marketplace will make it closer for people to come and do their shopping.

**(+) Tom Redoulavitch – BART Board of Directors**

- This is an exemplary project because it provides housing near transit.
- There is also a public amenity which is always very much needed.
- He realizes that many of the traffic problems are caused by BART.
- BART is working on various projects to minimize these problems.
- BART is also working on the sherrette process.

**(+) Tom McGuigin**

- This project can do a lot of good for the Glen Park area.
- Having a market as well as a library will create a community center.
- The problems being discussed now will eventually solve themselves.

**(+) Charles Higuera – San Francisco Public Library Commission**

- He is here to advise the Planning Commission on the decision taken at the Library Commission. This project was approved unanimously and hopes that the Planning Commission will approve it as well.
- The Glen Park Library is very small so they are excited about this project.

**(+) Corine Woods**

- This sounds like an excellent project. The developer cannot be held hostage for problems which are not their fault.
- She hopes that the Commission will support the Negative Declaration and move forward with this project.

**(-) Donald Marsh**

- He hopes that the Commission will reconsider this negative declaration for this tremendously large project.
- The area where this project will be located does not support such a large building.

**(-) Jay Estey**

- He would like to speak on behalf of the concerned residents of the Sunnyside Neighborhood Association. He submitted a letter on behalf of them which states that they are concerned about the parking problems and how this can negatively impact a neighborhood.
- He supports a marketplace but not this one.

**(+) Andrew Detsch**

- He supports this project because this is the sort of project that needs to be built near transit.

**(+) Don Williams**

- He has been waiting for this project for four years.
- He would like to have this project approved right away.



**(+) Dee Valentine**

- This project has been analyzed thoroughly.
- He would like to be able to walk to get his groceries.

**(+) Ron Miguel**

- He supports the Negative Declaration.
- The Developer should not be held responsible for existing traffic problems.

**(-) Giselle Bisson**

- She specifically purchased her home because she found out that this project was proposed.
- She supported this project until a few weeks ago when she found out that various aspects of the project had changed.
- She urges the Commission to ask the developers to revise the project on the matters of parking and traffic.

**(-) Jim Prichason**

- He believes that no one in the Glen Park area opposes the marketplace and the library.
- The issues here are traffic, lost parking spaces, etc.

**(-) Richard Stookey**

- He believes that this project is too large.
- More persuasive and environmental studies need to be done.

**(+/-) Joan Casey**

- This is an excellent project. This neighborhood is very much in need of this market.
- She realizes that there are problems with the traffic and the parking in this area.
- She is also concerned about the scale of the building.

**(+) Mary Huizinga**

- Parking is always a problem in San Francisco.
- Parking should not be the reason why this project would not be able to move forward.

**(+) Marcia Pensinger**

- She supports this project and knows that there are issues that could be dealt with but hopes that the Commission will approve the Negative Declaration.

**(+) Carol Steinman – Vice President of the Library Commission**

- When the Library Commission approved the project, they understood that there would be underground parking.
- She really wants this library

**(-) Lesley Frana**

- She is delighted about the project yet is concerned about the parking spaces.
- She urges the Commission to support the appeal of this project.

**(+) Michael Rice**

- The Commission should uphold this negative declaration.
- He also supports the project.

**(-) Peter Crombock - Appellant**

- This building is going to be a monster. It will change the character of the neighborhood.
- He cannot support this negative declaration.

**(-) Peter Warfield**

- He is concerned with the safety of pedestrians. They will be drawn to the library like a magnet which will make it even more hazardous.
- He is also concerned about the environmental questions related to the gasoline station that was there.

**(-) Elizabeth Hughes**

- A market is very much needed in this area but parking is important as well.
- This not a safe place for pedestrians.

**(-) Alma Hecks**

- She urges the Commission not to uphold the negative declaration because it will be a negative impact on the neighborhood.

**(+) Jim Chappell – SPUR**

- This negative declaration is fully adequate and the appeal should be denied.

**(-) Myrium Moss**

- The businesses in the area do need parking.
- The loss of spaces will affect the businesses.

**(+) Louis Frisco**

- He is almost in favor of this project yet there are problems with this project because it's too big for the neighborhood.
- There are issues about the toxins underground from the gasoline station.

**(+) Forrest Teets**

- This project is too large and out of place for it's surroundings.
- He and his family support the library and the marketplace yet the building is just too large.
- There is a lot of gridlock on these streets.
- He hopes that the Commission considers looking at this closer.

**(+) Randy Weiser**

- He has seen many of the community leaders unite and speak to the residents after the marketplace burned down.
- There were alternative plans like Rite Aid and Walgreen's but the residents have worked hard to get something that the residents really want.

**(-) David Golden**

- This area is very dangerous for pedestrians.
- There will be more delivery trucks, more cars, etc.
- The project is too big. Maybe the number of units should be reduced.

**(+) Ana Moss**

- The neighborhood needs to address the issues of parking and traffic. These issues are not the sole responsibility of the developer.
- It has been four years and she hopes to see this project approved.

**(+) Anne Vossler**

- She supports this project.

**(+) Robert Kyler**

- He supports the negative declaration.

**(+) Mike Dugan**

- He supports the negative declaration.

**(-) Carrie Bailey**

- She read a letter from a business owner on Diamond Street who is opposed to this project.

**(-) Bruce Bonacker**

- He displayed a map where the supermarkets are located. There are many markets in the area.

**(-) Malcolm Brown**

- He is opposed to this project because he does not agree that the city is building parking lots all over the city--yet the parking lot related to this project is being eliminated.

ACTION: Negative Declaration Upheld  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee  
 MOTION: 16486

**Note: The following item was taken out of order and heard after item 14.**

- 12a. 2002.0124CVR (R. CRAWFORD: (415) 558-6358)  
2815 DIAMOND STREET - east side at Wilder Street, between Bosworth and Chenery Streets, Assessor's Block 6745 Lots 025A, 026-029, and 063 - Request for a finding of General Plan consistency under Planning Code Section 101.1(d) for development of a public use (branch library). The Project is to construct a new two to four story mixed-use building on an approximately 16,000 square foot lot. The building would include an approximately 7,037 square foot of Other Retail Sales and Services use (Bi-Rite

grocery/liquor store), an approximately 8,760 square foot public library, and 15 apartments with 15 off-street parking spaces in an NC-2, Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.  
Preliminary Recommendation: Approval.

**SPEAKER(S):**

**(+) David Prowler – Project Sponsor**

- This project is a collaborative effort.
- There have been many community meetings on this project.
- The library approached him to see if they could be involved in the project.
- He has worked very closely with the neighbors.
- He thinks that many of the people who are opposed are misinformed.

**(-) Michael Yokum**

- If this project is approved, it will remove 14 spaces of parking which are very much needed.

**(+) Joseph Curtin – Housing Action Coalition**

- His organization is in support of this project.
- This project is really ideal for a neighborhood like Glen Park.
- The city of San Francisco needs projects like this.

**(+) Tom Sapp**

- This is a wonderful project.
- He likes that the architecture is different from the other buildings because it gives the area vitality.

**(-) Chris van Loben Sels**

- This project holds great promise and great risks.
- This project should not be approved unless it is amended by allowing only 10 spaces and above ground parking and one floor of residential.
- Both owner and developer have shown concerns about the impacts this project would have on the community.

**(+) Don Williams**

- Because it allows housing, it would be outrageous not to approve this project.

**(-) Andrew Dietz**

- This project is a good project and it's near BART.
- He is in support of this project.

**(-) Ric Lopez**

- He owns two businesses in the area and he is opposed to this project.
- There will be a negative impact on businesses if this project is approved.

**(-) Randy Lintz**

- He agrees with everyone who has spoken against this project and hopes the Commission will deny it.

**(-) Jay Estey**

- The city should take the responsibility of disallowing certain variances.
- This project has been constantly changing.
- He hopes that the Commission will take all this information into consideration.

**(-) Greg Helser**

- He joins other residents and merchants and opposes the project as it stands now.
- There is a need to preserve the parking in this area.

**(+) Howard Strassner – Sierra Club**

- He would like this project approved because it's mixed use and a great gathering of property.
- This property is well located near BART.

**(+) Ed Bedard – San Francisco Housing Coalition**

- He supports this project. It is very impressive and provides much needed housing.

**(+) Wesley Day**

- He read a letter from Maralyn Stephenson who is in support of the project.

**(+) Jane Rice**

- She supports this proposal.
- This project can be summed up into three words: want, need, deserves.

**(+) Marie Summard**

- She has been involved since the beginning trying to get something at this location that the community wants.
- This project makes fiscal sense since it will draw a lot of commuters using BART.
- This provides housing and a library use for the residents.

**(+) Susan Hildreth**

- The purchase and sale agreement is pending the Commission's decision this evening.
- She hopes the Commission will approve this project.
- She is available for questions.

**(+) Beth Goldstein – Hydroconsult Engineers**

- She lives across the street from the project site.
- She prefers to shops on her way home from BART.
- From her office she can see Diamond Street and she has noticed that most of the traffic problems are related to pedestrian traffic.
- The community should be discouraging automobile traffic.

**(+) Sharon Desiricka**

- She lives in the Glen Park neighborhood and is also a librarian for the Glen Park branch. She supports this project with the variance.

**(+) Wesley Day**

- He is a retired librarian and has worked at the Glen Park Branch.
- He knows this branch is very, very small.
- He supports this project.

**(+) Barbara Zierten**

- She agrees with everything that everyone in support of this project has said.
- She hopes the Commission will approve this project as well as the variance.

**(+) Irina Doliov**

- Most of the residents agree that they want the grocery store and the library.
- She hopes the Commission will supports this project as is because the community really needs housing.

**(+) Zoanne Nordstrom**

- Even though there have been chain stores that have shown interest in the location, the community has united and have fought for a small-business community business.

**(+) Stephen Doliov**

- He supports this project and hopes that the Commission will approve the project and the variance.
- The library deserves to be enlarged.

**(-) Dan Tuttle**

- He submitted a letter that contained 16 ways that the community believed that the documents that support this document are in error.

**(-) Gary Pike**

- He would like to have the Commission uphold the code to require 14 parking spaces.

**(-) Harold Talber**

- He is a merchant in the Glen Park area.
- He really is proud to have the library and the grocery store coming into this area.
- Yet, he does not agree with the variance and the fact the area would lose 14 parking spaces.

**(-) Jacquelyn Pauli**

- She is opposed to this project since she drives to the grocery store because she cannot carry grocery bags up the hill on Diamond Street.

**(-) Carolyn Helser**



- There is a bit of information that the Commission may not know. When the City bought lot 29, there was a memorandum of understanding between them and the project developer that the City would be able to manage a parking lot on this site in off peak hours. She submitted information regarding this.

**(-) James Chaffey**

- He does not support this project. There are still too many issues to be dealt with.

**(-) Andrea O'Leary**

- No one has ever proposed these three elements in this area.

- The problem is that the developer is trying to cram all these things together.

**(-) Lesley Frana**

- This project as it's currently planned is not good for Glen Park. This is why there are so many people here and this hearing has taken so long.

**(-) Elise Ravel**

- She knows that there are a number of problems related to parking.

- She is in favor of this project but not of the variance because the parking should be left available for the people who shop around there.

**(+) Carol Steinman – Vice President of the Library Commission**

- The proposal is good as far as it goes yet a compromise needs to be made to be fair to Glen Park.

**(+) Charlie Stevenson**

- This is a great community no matter what side a person is on.

- He hopes that the conditional use includes restrictions that there should always be a small business market located there.

**(+) Peter Warfield**

- Are people being told accurately what is going to happen?

- He does not recall that the underground parking was told to the Library Commission until after it voted approval.

**(+) Sam O'gaman**

- Several times a new business has opened in the vicinity of his and each time he felt threatened. Yet he has realized that every time a new business opens, more people are drawn to the area which benefits him.

ACTION: Approved

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

MOTION: 16488

- 12b. 2002.0124CVR (R. CRAWFORD: (415) 558-6358)  
**2815 DIAMOND STREET** - east side at Wilder Street, between Bosworth and Chenery Streets, Assessor's Block 6745 Lots 025A, 026-029, and 063. Request under Planning Code Sections 121.1 for development on a lot exceeding 9,999 square feet in area; 121.2 to allow nonresidential uses greater than 3,999 square feet in area (Bi-Rite grocery/liquor store, branch public library); and 711.83 to allow a Public Use (branch library). The Project is to construct a new two to four story mixed-use building on an approximately 16,000 square foot lot. The building would include an approximately 7,037 square foot of Other Retail Sales and Services use (Bi-Rite grocery/liquor store), an approximately 8,760 square foot public library, and 15 apartments with 15 off-street parking spaces in an NC-2, Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): Same as those listed in item 12a.

ACTION: Approved with conditions as amended: 1) Condition A.4. shall be amended to state that grocery store operator shall offer delivery of

merchandise to neighborhood residents. 2) Condition F.5.b. would be eliminated since it states a control of deliveries of large trucks. This is something that neither the grocery store owner nor the department can control. 3) Condition 5c would be amended to state that deliveries by large vehicles to the grocery store would be limited between 9:00 a.m. to 12 p.m. since this is peak traffic times. 4) Condition A.1. which states: "...approximately 7,037 gsf other retail sales and service use (grocery store/liquor store)" parenthesis shall be eliminated and wording should state: "...other retail sales and grocery use specifically a grocery store".

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee  
 MOTION: 16488

- 12c. 2002.0124CVR (R. CRAWFORD: (415) 558-6358)  
2815 DIAMOND STREET - east side at Wilder Street, between Bosworth and Chenery Streets, Assessor's Block 6745 Lots 025A, 026-029, and 063. Request for Variances from, Planning Code Section 151, to provide no parking spaces for proposed commercial and public uses where 14 are required; Section 134, rear yard, for 1,440 square feet of rear yard where 4,000 square feet are required; Section 135; usable open space, for 1,454 square feet of usable open space where 1,714 square feet are required; and Section 140, dwelling unit exposure, where 6 of 15 dwelling units do not have a window facing either a public right-of-way or a Code complying rear yard. The Project is to construct a new two to four story mixed-use building on an approximately 16,000 square foot lot. The building would include an approximately 7,037 square foot of Other Retail Sales and Services use (Bi-Rite grocery/liquor store), approximately 8,760 square foot public library, and 15 apartments with 15 off-street parking spaces in an NC-2, Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): Same as those listed in item 12a.  
 ACTION: Zoning Administrator closed the public hearing and granted the variances.  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee

**Note: Items 13 and 14 were taken out of order and heard after item 11.**

13. 2002.0615C (D. SIDER: (415) 558-6697)  
2700 MISSION STREET - southwest corner of 23rd Street; Lot 053 in Assessor's Block 3643 - Request for Conditional Use Authorization pursuant to Planning Code Section 781.5(a) to allow the establishment of a small self-service restaurant in the Mission Street Fast Food Subdistrict, an NC-3 (Neighborhood Commercial Moderate Scale) Zoning District, the area subject to the Mission District Interim Controls (as set forth in Board of Supervisors Resolution Number 500-02), and an 80-B Height and Bulk District. The proposal is convert approximately 500 square feet of an existing produce market to a sandwich and non-alcoholic beverage shop. Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): None  
 ACTION: Without hearing, continued to December 12, 2002.  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee

14. 2002.0633CK (B. FU: (415) 558-6613)

1070 CAPP STREET - west side, between 25th and 26th Streets, Lot 012 in Assessor's Block 6528 - Request for Conditional Use Authorization under Planning Code Sections 209.1 and 253, and pursuant to Planning Code Section 303, to allow the construction of four (4) dwelling units exceeding a height of 40 feet in an RH-3 (Residential, Three-Family House) District with a 50-X Height and Bulk designation.  
Preliminary Recommendation: Approve project as proposed

SPEAKER(S):

**(+) Mark Brisco – Project Sponsor**

- Their goal is to increase the supply of housing in San Francisco and be aware of providing housing appropriate to the needs of the community.
- They studied what the needs were in the Mission and came to the conclusion that the need is housing.
- They spent a lot of time communicating with residents, community leaders, etc.
- They have had 5 different meetings with neighbors and provided interested residents with plans of the project.
- There were concerns about parking but these issues were dealt with successfully.

**(-) Dan Materossi**

- He owns the building next door.
- He is opposed to this project because it will severely shade a system that provides electricity for his building.
- There would be a 60 percent loss of output.
- The owners have expressed a willingness to come to an agreement to help mitigate the effects of the height of the building and he would like to have this as a condition of approval.

**(+) Phyll Rosengen – Project Architect**

- He described the aesthetics of the building.

ACTION: Approved

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

MOTION: 16487

## F. DISCRETIONARY REVIEW HEARING

At Approximately **9:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2001.1168DD (M. SMITH: (415) 558-6322)  
138 WHITNEY STREET - west side of the street between Fairmount and Randall Streets, Lot 007 in Assessor's Block 6664 - Staff initiated and public initiated requests for Discretionary Review of Building Permit Application No. 2000/12/19/8292, proposing to enlarge the existing detached garage at the front of the property to accommodate two cars and construct a two-story vertical addition above the garage to be used as accessory space for the existing dwelling unit, in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Take Discretionary Review and Disapprove the Project

SPEAKER(S):

**(-) Michael Burns**

- This project is not harmonious with the other buildings in the neighborhood.

**(-) Clifford Allen**

- This project is not appropriate for the neighborhood.

**(-) Greg Pats**

- This house has been the only house he and his wife have ever owned.
- This (the proposed project) is not a work of art. It is a work of ego.

**(+) Eugene Sway – Project Architect**

- He described the aesthetics of the proposed building.
- There is a variety of building designs in this neighborhood.

**(+) Jason Longberg – Project Sponsor**

- The purpose of this project is to provide a modest addition of living space while respecting the neighboring properties with respect to size, light and views.
- It is important to preserve the redwood tree and foliage.

**(+) Susie Gee**

- She read a letter from Fred Stitt who is an architect and director of the San Francisco Institute of Architecture who is in support of the project.

**ACTION:** Took Discretionary Review and disapproved the project.

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee

**ABSENT:** W. Lee

16. 2002.1018D (J. PURVIS: (415) 558-6354)  
322 RUTLEDGE STREET - north side between Alabama Street and Peralta Avenue; Lot 011 in Assessor's Block 5540 - Request for Discretionary Review of Building Permit Application No. 2002.07.22.2050 proposing to add 47 square feet of useable floor area and 66 square feet of balcony space to the rear of a single family dwelling in an RH-1 (Residential, House, One-Family) District with a 40-X Height and Bulk designation and within the Bernal Heights Special Use District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

**SPEAKER(S):**

**(-) Lisa Honey – Discretionary Review Requestor**

- This project is located in a special use district.
- There are provisions in a special use district and in this case the house will go 47 square feet more than allowed by code.
- This is a small house and it is being enlarged.

**(+) Joel Yodowitz – Reuben and Alter**

- This project exemplifies the abuse of the Discretionary Review process.
- The Discretionary Review requestor has turned her back on any compromises.
- This project received full support from Planning staff and he hopes the Commission will approve this project.

**ACTION:** Did not take Discretionary Review and approved the project as submitted

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee

**ABSENT:** W. Lee

17. 2002.1201D (J. PURVIS: (415) 558-6354)  
1350 UTAH STREET - west side between 24th and 25th Streets; Lot 005 in Assessor's Block 4264 - Mandatory Discretionary Review, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.05.03.5748 proposing the demolition of a one-story, single-family dwelling to be replaced with two three-family dwellings on a double-wide lot to be split into two lots in an RH-3 (Residential, House, Three-Family) District with a 40-X Height and Bulk designation.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.



**SPEAKER(S):**

**(+) Gary Gee – Gary Gee Architects**

- He submitted a letter that summarizes the building report and the staff report.
- He is available for questions.

**ACTION:** Did not take Discretionary Review and approved the project

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee

**ABSENT:** W. Lee

**G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

**Quinton Mackie – SOMA**

*Re: South of Market Planning Process*

- He would like the Commission to have public comment at the beginning of the hearing.
- He submitted a letter that states the problems they are having with the South of Market Community Planning Process.
- He wanted to bring this before the Commission before the process goes too far.

Adjournment: 10:36 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, JANUARY 9, 2003.

**SPEAKERS:** None

**ACTION:** Approved

**AYES:** Antonini, Boyd, Bradford Bell, Feldstein, Hughes, Sue Lee, William Lee



5  
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# SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Tuesday, December 17, 2002

**12:30 PM**

Special Meeting

DOCUMENTS DEPT

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**COMMISSIONERS PRESENT:** Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,  
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 12:50 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner - Zoning Administrator; Judy Boyajian – Deputy City Attorney; Amit Ghosh; David Alumbaugh; John Billovits; Marshall Foster; Ann Marie Rodgers; Ben Fu; Michael Smith; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

None

## **B. COMMISSION MATTERS**

1. Commission questions/comments

### **Commissioner William Lee:**

1) There was an item at the Board of Supervisor's hearing yesterday related to the past audit of the Planning Department and a proposal to set up an audit committee. He would like the director to address this issue. Do we really need an audit committee?

2) He would like to have a presentation by the Transportation Authority regarding transportation and funding requests for the next few years. There will be changes in the transportation industry as a result of Prop B. He is requesting this presentation because many of the projects the Commission will be voting on will be impacted by this proposition.

**Commissioner Antonini:**

*Re: 653 Duncan Street*

- He has a patient who is one of the Discretionary Review requestors. He has checked with the City Attorney's office regarding this issue and they said that there are two tests to determine conflict: 1) if the fiduciary interest exceeds \$500.00 in the last month, which it has not; 2) Does he feel objective about this case and the answer is yes. He feels he can participate. He wanted to bring this to the attention of the public with the understanding that he has done the research related to ethics.

**C. DIRECTOR'S REPORT****2. Director's Announcements**

*Re: Commissioner Lee's question*

1) Supervisor McGoldrick introduced legislation that would create a task force for the Planning Department audit. He thought it would be effective to create this task force. The Director responded to this legislation at the Transportation and Audits Committee hearing saying he would be willing to work with the Supervisor on this. After yesterday's hearing before the Board of Supervisors, a task force is more than likely. The Director will reserve his comments until he sees the information on this task force. He will provide a copy of the audit and his response to the Commission.

*Re: Joint Hearing*

There are proposed dates of January 23, 2003 or February 6, 2003 to have joint hearings with the Redevelopment Commission and/or the Transportation Authority.

The first hearing in January will provide information on when this joint hearing will take place.

*Re: Long-Range Planning*

Supervisor Hall asked that departments that are involved in long-range planning provide information on how this information is used.

**3. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
BOS - None**

**BOA - None**

**4. Better Neighborhoods Briefing**

Amit Gosh and David Alumbaugh gave a PowerPoint presentation on this briefing.

John Billovits invited the public to various Market/Octavia Neighborhood Planning Events:

The first public review plan draft will be held this evening from 6-9 p.m. at the LGBT Center (1800 Market Street - corner of Market and Octavia) on the 2<sup>nd</sup> Floor in the Rainbow Room.

On January 12 and January 18, 2003 there will be walking tours for the public. These tours will be guided by staff to talk about the plans of the Market/Octavia Plan and will be held at the northwest corner of Market and Octavia Streets from 11 a.m. to 1 p.m.

On January 9, 14, 21, 2003 there will be three-hour, open-office sessions in the basement of the First Baptist Church. Staff from the Market/Octavia Plan will be there to answer questions.



On January 28, there will be a second public workshop which will be the comment taking and gathering workshop. From 6 to 8:30 p.m. also at the First Baptist Church in the basement room.

On February 13 there will be a briefing before the Planning Commission so that staff can receive Commission comments and allow the public to comment on the planned draft.

**SPEAKER(S):**

**Robin Levitt**

- He has been involved with the planning process of the Market Street/Octavia area.
- People are very excited about his plan and hopes that this moves forward.

**Norman Rolf**

- He is also involved in the Transbay Area CAC.
- A developer mentioned that banks are not lending any money unless there is one for one parking. This is something worth looking into.

**Patricia Walker**

- This experience has been very wonderful and very educational.
- This planning program has helped her look at the bigger picture and how problems affect them.
- Learning about all this and evaluating it will help them make much better decisions.

**Ron Miguel – Housing Action Coalition**

- He would like to thank the department for all the research and the presentation of this project.

#### **D. REGULAR CALENDAR**

- 5a. 2002.0958CV (B. FU: 415-558-6613)  
1271-1275 MISSION STREET - south side, between 8th and 9th Streets, Lot 075 in Assessor's Block 3728 - Request for Conditional Use Authorization (CU) under Planning Code Section 303, to amend the conditions of approval of the previously approved CU to allow the conversion of approximately 3,000 square feet of existing basement storage space to assembly and social service use as defined by Planning Code Section 890.50(a), in a SLR (Service/Light Industrial/Residential Mixed Use) District with a 65-X Height and Bulk designation. The total area will be approximately 9,000 square feet. The project will continue to be operated by SAGE Project, Inc.  
 Preliminary Recommendation: Approve project as proposed

**SPEAKER(S):**

**(+) Norma Catali – Executive Director and Founder of SAGE**

- This organization tries to make the lives of the women who come here as safe and clean as possible.
- They are not up against any residential community.
- They want to expand into evenings and make sure everything they do at night is safe. They would also like to occupy the building on certain Saturday and Sundays.
- This is why she would like the Commission to expand their hours of operations.

**(+) (name unclear)**

- She was able to receive services from the SAGE project.
- She would not be here if she was not able to receive these services.
- Their client population really requires that SAGE expand their hours.

**(+) Marylyn (did not state last name)**

- This organization is committed to helping the population of women who are being victimized.

**(+) Cathy Lemus – Administrative Assistant**

- She was able to receive services from SAGE.

- She has been able to get her life together because of SAGE.
- Prostitution goes on at night and that is why SAGE should be allowed to be available at night.

**ACTION:** Approved as Amended: limit on hours of operation will be lifted with a condition limiting special events/celebratory events not before 8:00 a.m. and not after 10:00 p.m.

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**MOTION:** 16495

- 5b. 2002.0958CV (B.FU: 415-558-6613)  
1271-1275 MISSION STREET - south side, between 8th and 9th Streets, Lot 075 in Assessor's Block 3728 - Request for an off-street parking Variance, pursuant to Section 151 of the Planning Code, will be considered by the Zoning Administrator in a SLR (Service/Light Industrial/Residential Mixed Use) District with a 65-X Height and Bulk designation. A total of seven (7) additional spaces are required as the result of the project. The proposal is to provide no off-street parking spaces.

**SPEAKER(S):** See item 5a.

**ACTION:** Zoning Administrator Closed the Public Hearing and Granted Variance

6. 2002.0717DDDDD (M. SMITH: (415) 558-6322)  
653 DUNCAN STREET - south side of the street between Diamond and Castro Streets, Lot 035 in Assessor's Block 6604 - Requests for Discretionary Review of Building Permit Application No. 2002.02.19.9476, proposing to construct a one-story vertical addition at the rear of the building, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

**SPEAKER(S):**

**(-) Diane McCarney – 1<sup>st</sup> Discretionary Review Requestor**

- She is against this third story addition because this project will cause serious impacts.
- There were serious impacts when the house was originally built.
- This building has been growing and has come before the Commission already.
- She displayed photographs of the proposed project and how it will impact the adjacent homes.

**(-) Andre Srinivasan – 2<sup>nd</sup> Discretionary Review Requestor**

- This proposed project gives the impression of being a 4-story building.
- The Duncan Street organization has tried to work with the project sponsor but there has not been any progress.
- There will be a very negative impact on the adjacent neighbors.

**(-) Lynne Srinivasan – Representing Diane Carr, 3<sup>rd</sup> Discretionary Review Requestor**

- She read a letter from Diane Carr who stated why she is opposed to this project.
- They have an alternative design, which was presented to the project sponsor, but there was no response.
- A redesign of the building is of no interest
- Take Discretionary review and disapprove this project

**(-) Phyllis Lyon – 4<sup>th</sup> Discretionary Review Requestor**

- She and her domestic partner have been involved in various issues dealing mostly with impacts on human rights and well being.
- There is overwhelming opposition to this project.
- There are four community organizations who have sent correspondence to the Planning Department stating their opposition to this project.

- Both Supervisor Leno and Bevin Dufty have expressed their opposition on this project.
- When she filed her Discretionary Review application she submitted about 39 letters of opposition which were not included in Commissioner packets. (She submitted these letters at the hearing).

**(-) Pauline Shulman- Representing Elizabeth Dimas, 5<sup>th</sup> Discretionary Review Requestor**

- She read a letter from Elizabeth Dimas who is opposed to this project.

**(-) Michael Zucker - Architect**

- He was asked to review the plans which the Discretionary Review applicants received.
- He displayed plans and explained them to the public.

**(-) Keith Eickman**

- He has lived in this area for 54 years.
- He is the director of the Duncan Newburg Association.
- He would like to have this project given Discretionary Review because this area needs to be protected and so this could be discussed in greater detail.

**(-) Dell Martin**

- She read a letter from Vicky Rosen who is the president of the Upper Noe Neighbors who opposes this project.

**(-) Doug Lockyer**

- He does not live in the area but knows many people who live here.
- This structure has no sense of space.
- The shadows fall across the houses on the neighbors, it is not a backyard issue at all.

**(-) Michael Miller**

- This property does not fit with the neighborhood at all.
- This addition just exacerbates the problem.
- He would like to encourage the developer to work with the neighbors.

**(-) Jay Carris**

- Because he has a small front yard, he is concerned with how shadows will impact it.
- He has lived here for two years yet he feels it's reasonable to want a shadow study.
- This structure will stick out from others in the neighborhood.

**(+) Deborah Stein**

- This is a classic example of neighbors asking the Commission to exercise it's extraordinary Discretionary Review powers not because of genuine land use conflicts but because of interpersonal conflicts.
- There have been many emotional neighbor versus neighbor conflicts. The Discretionary Review requestors did not want this house to be built in 1995 yet appeals were not filed in time.
- She would like the Commission to reject the request for Discretionary Review and that the disputes between these parties be done outside these chambers.

**(+) Patrick McGrew – Project Sponsor**

- He has been trying to communicate to the neighbors how the Planning Code works.
- He displayed graphics and plans describing the architectural aspects of the project relative to the Planning Code.

**(+) Robert Stone – Project Sponsor**

- He and Patrick have been communicating as much as possible with the neighbors.
- Not many of the neighbors have communicated with them regarding their issues.

**(+) Denise McGrew**

- This small addition will not have a negative impact on anyone.

**(+) Dawn Hartman**

- She is in support of this addition.
- She has been able to speak to the project sponsor and they have been able to explain in detail the project to her and her husband.
- This is a small addition to this home and will improve the aesthetics of the home. She hopes the Commission will approve it.

**(+) Garrett Sanford**

- He has lived on Duncan Street for many years and has known the project sponsor for many years as well.
- This area has a variety of architecture which he finds reflects the uniqueness of the valley's population and is symbolic of the diversity of San Francisco.
- This addition is welcomed in this neighborhood and he urges the Commission to approve their request.

**(+) Victor Bucli**

- He grew up in Glen Park and he is aware of the unique characteristics of the neighborhoods in San Francisco and diversity of styles.
- This is an incredibly diverse neighborhood.

**(+) Carolyn Goeldner**

- She has 16 years experience as a residential broker.
- Since the building of this home, property values have increased and have improved.
- The proposed addition is within the scale of the neighborhood. She urges the Commission to approve this modest addition.

**(+) Roberta Boomer**

- The project sponsors have met the required notices to the neighbors. The project sponsors have done everything correctly.
- All the homes in the neighborhood vary in design.
- The project sponsors should not be penalized because staff told them where to construct their home relative to the Planning Code.

**ACTION:** Continued to February 5, 2003 in order to give project sponsors the opportunity to continue to meet with the community and Discretionary Review requestors. Planning Department will continue to review and research the project.

**AYES:** Bradford Bell, Antonini, Boyd, Hughes, S. Lee, W. Lee

**ABSENT:** Feldstein

## E. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: 5:17 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, JANUARY 9, 2003.

**SPEAKERS:** None



ACTION: Approved

AYES: Antonini, Boyd, Bradford Bell, Feldstein, Hughes, Sue Lee, William Lee



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# **SPECIAL MEETING OF THE SAN FRANCISCO PLANNING COMMISSION Meeting Minutes**

**Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, December 19, 2002  
12:30 PM**

DOCUMENTS DEPT.

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**COMMISSIONERS PRESENT:** Shelley Bradford Bell; Michael J. Antonini; Rev. Edgar E. Boyd;  
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee  
**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 12:32 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner - Zoning Administrator; Judy Boyajian  
– Deputy City Attorney; Amit Ghosh; Miriam Chion; Ann Marie Rodgers; Jill Slater; Sue Exline; Nora  
Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. DIRECTOR'S REPORT**

1. Director's Announcements

**None**

2. Eastern Neighborhoods & Community Planning Informational Presentation

Amit Ghosh and Miriam Chion gave a PowerPoint presentation.

**SPEAKER(S):**

### **Diane Oshima – Port of San Francisco**

- She is the manager of Waterfront Planning.
- She thanked staff for doing such a great job on this complicated but comprehensive process.
- She gave a report on the range of what can happen on port property and why there should be focus on how this area relates to neighboring city areas—from an industrial sense.

### **Seth Steward – Director of the Small Business Commission**

- He thanked Jean-Paul Samaha on speaking to the Small Business Commission recently regarding this item.
- The SBC instructed him to speak before the Planning Commission specifically about this item and arrange for the Planning Commission and Planning staff to attend their next hearing on January 13, 2003.

- He will then appear before the Planning Commission on January 16, 2003 when this issue comes up again.

- The SBC feels that for a variety of reasons the small business community as a whole has been left out of this particular planning process but would like to be included.

**Svetlana Karasyova – Recreation and Park Department**

- She would like to thank staff from the Planning Department for communicating with the staff from the Recreation and Park Department regarding open space and recreation services.

- A program needs to be worked out regarding high needs for open space and recreation opportunities in the City.

- This amendment would help the land acquisition program from Rec and Park.

**Swany Cho – MUNI**

- As the transit agency for the City of San Francisco, they have been working with the Planning Department on the eastern neighborhoods as well as the Better Neighborhoods program.

- Staff has been doing great work.

- They are looking forward to seeing the outcomes and looking forward to working on long-range planning.

**Peggy Wu – Redevelopment Agency**

- The agency has been working closely with Planning staff on this item.

- She is available to answer questions.

**Eric Quesada – Mission Anti-Displacement Coalition**

- They became involved in the planning process out of necessity.

- After several protests and angry residents, they had a community meeting, which was attended by the Director of Planning, and a planning process was established.

**Maria Poblet – St. Peter's Housing Committee**

- She works for St. Peter's Housing Committee

- They became involved with the Mission Anti-Displacement Coalition because the number of residents that were being displaced grew by 300%.

- There were entire families that became homeless.

- She encourages the Commission to move forward with the EIR.

**Myriam Zamora – St. Peter's Housing Committee**

- She belongs to St. Peter's Housing Committee and she is very proud to work with the committee.

- She became involved with the Mission Anti-Displacement Coalition because she was one of the victims that was displaced.

- The housing situation in the Mission is deplorable because there are a number of people living in small units.

- Another problem residents have is that landlords resist making repairs to housing units.

- She is in agreement with the planning process.

**Nancy Esteve – Families in SROCS**

- Her organization is in agreement with the planning process until an alternative is found to help these families.

**Dave McGuire – Mission Anti-Displacement Coalition**

- He has attended all of the planning meetings.

- The future of San Francisco looks pretty dim if a planning process is not established and approved of.

**Andrew Wood – San Francisco International Arts Festival – Mission Anti-Displacement Coalition**

- The area plan will help the Mission District.

- The small business community has been involved in this planning process since he held one of the community meetings in his theatre, the ODC theatre.

- He welcomes everyone to support small businesses because there are a lot of empty store fronts in the Mission District. With the area plan, there are opportunities and ways to support small businesses.



**Cris Selig – Mission Anti-Displacement Coalition**

- She became involved with MAC because she saw there was a need for the community planning process.
- A long-term process for the Mission is a good idea.

**Oscar Grande – MAC and PODER**

- It is no accident that hundreds of residents of the Mission are now participating in the community planning process.
- They are also educating people on the EIR process.

**Wendy Philips – Mission SRO Collaborative and MAC**

- The Mission is a family neighborhood.
- They have announced at every community meeting, that the Mission needs community-serving businesses and organizations.
- They would like to have housing planned for the very low-income bracket.

**James Collins – 6<sup>th</sup> Street Agenda**

- He would like to have the entire community be involved in the process.

**Bill Pollard – Bay West Group**

- The major design districts in the world are mixed use areas.
- He feels threatened that the showplace square area is being called PDR.
- The real need for San Francisco is for housing.

**Curtis Eisenberger**

- The process is seriously flawed.
- He displayed a zoning map of the Mission showing how the plan has a 70% error rate.

**Oz Erickson – Emerald Fund**

- It is extremely important that the Commission focus on non-confirming uses.

**Wells Lawson – Mission Coalition for Economic Justice and Jobs**

- They have done a thorough analysis of PDR in other cities (he presented the report to the Commission).
- The City needs to look more closely at PDR and define what PDR really is.

**James Lee**

- He would like the Commission to review the process of how notifications are issued because this could cause basis for a flawed process.

**John Elberling**

- He feels that this policy is not complete and that there should be more community input.

**Phil Erickson – Mission Coalition**

- He displayed a zoning map of the work they have been doing that takes into account the input they have received from residents.

**Fred Snyder**

- He is here from the Northeast Mission area.
- He displayed a map of the Eastern neighborhoods mentioning that his organization was not invited to participate in this process.

**Tania Baker – Northeast Industrial Zone in the Mission**

- They are concerned about her organization not being involved in this planning process.
- To impose nonconforming use procedures that require legal representation is going to hurt very small businesses and people in the neighborhood. If this planning process is too rigid, it doesn't leave the space for the very small businesses. There has to be a broader leeway for non-confirming use.

**Eileen McCort – Business Manager with Project Artaud**

- They are concerned with the non-confirming uses that have been designated in the Mission.
- They were not aware of the community planning meetings.
- They would like clarification regarding non-conforming land use.

**Judy West**

- She has been involved in this debate for 10 years and she has always been looking out for the small business community.
- This is a mixed use district and everyone likes it that way. There is a need for housing guidelines and she does not want to ban housing altogether.

**Anthony Faber – SOMA Leadership Council – Mid-Market PAC**

- He feels that there were some problems with the South of Mission process. It seems like developers and land owners were disproportionately represented. He found that the meetings were too far apart and this makes it hard to keep continuity.

**Ernestine Weiss**

- She has lived here for many years and has never seen a smart housing plan. The result of this is economic chaos.

- Housing can be built but (we need) to build middle-class housing.

**Victor Vitlin – Lyon Enterprises**

- Lyon has a key interest in the zoning of the area

- He looks forward to working with the Planning Commission and staff

**Jim Mecko – Chair of the SOMA Leadership Council**

- He submitted a document which contains a history of the community planning efforts in the South of Market area.

**Fritz Maytag – Anchor Brewing Co.**

- He has been working in San Francisco for many years.

- Politics is what one does instead of shooting each other.

- He urges the Commission to think seriously about businesses that are industrial users or light industry. These companies have the kind of jobs that people work at and make the City vital.

**Charles Brendinger – Engineer and Builder in SOMA**

- He disagrees with Director Green statement that several projects should be reviewed under the light of future planning.

- This is freezing many business transactions in the South of Market area.

- People are reluctant to buy or sell property.

**Milton Gaines**

- He is a property owner in the Mission District.

- He commends MAC for their desire to provide low income housing for immigrants but he requests that the Commission give the Mission a balanced approach.

**Joe O'Donaghue**

- Here we have politics dictating housing models and politics dictating communities. As a result of this, there is a housing crisis.

**Dav Dodi – Bay View**

- These workshops have been helpful for the Bay View area.

**Shawn Gorman**

- He would like to commend the department on the community process for the Showplace Square area.

**Tim Tosta – Steiffel, Levitt and Weiss**

- He has been able to work on the rezoning in the Mission and the City of Menlo Park.

- The contrast and the similarities are interesting. He will be submitting a document regarding this analysis.

- He is concerned about how we are planning for the next generation and forecasting adequately.

**Richie Hart**

- He has built live/work in various areas because, at the time, it was the permitted use.

- He has never has to evict anyone.

- PDR is necessary but housing is necessary as well.

- Higher density housing is necessary.

**Cristina Logie – Mission Agenda**

- She is disappointed with how the whole process is being characterized.

- She feels that the Planning department has done a good job.

- If developers interests do not dominate the discussion, they feel excluded.

- In communities of color, it takes hundreds of voices to make any changes--yet developers don't need that many.

- She thanks the department for including them in the planning process for the Mission.

ACTION: Meeting held. Informational only. No action required.

Adjournment: 4:01 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, JANUARY 9, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Boyd, Bradford Bell, Feldstein, Hughes, Sue Lee, William Lee





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19/02

# SAN FRANCISCO PLANNING COMMISSION

## Meeting Minutes

Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Tuesday, December 19, 2002

**1:30 PM**

Regular Meeting

DOCUMENTS DEPT.

JAN 24 2003

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**COMMISSIONERS PRESENT:** Shelley Bradford Bell, Michael J. Antonini; Rev. Edgar E. Boyd,  
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 4:15 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian  
– Deputy City Attorney; Geoffrey Nelson; Michael Li; Adam Light; Paul Lord; Mary Woods; Nora Priego –  
Transcription Secretary; Linda Avery - Commission Secretary

### **A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE**

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0915EC (J. MILLER: (415) 558-6344)  
1635 CALIFORNIA STREET - north side between Polk Street and Van Ness Avenue, Lot 14 in Assessor's Block 646 - Request for authorization to modify a previously authorized Conditional Use (Case No. 2000.527C, Motion No. 16165) and Environmental Evaluation (Case No. 2000.527E). The current request would permit construction of a seven-story building containing 36 dwelling units on six floors over a ground floor with a retail space of up to 5,000 square feet and a below-grade, two-level garage containing 53 off-street parking spaces, on a lot in excess of 10,000 square feet (10,321.5 square feet), after demolition of an automobile storage garage, in the Polk Street Neighborhood Commercial District and a 50-X Height and Bulk District.  
Preliminary Recommendation: Approval with conditions  
**(Proposed for Continuance to January 16, 2003)**

**SPEAKER(S):** None

**ACTION:** Continued to January 16, 2003

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.0812XCV (D. DiBARTOLO: (415) 558-6291)  
61 - 69 CLEMENTINA STREET - south side of Clementina between First and Second Streets, Lots 36 & 37 in Assessor's Block 3736 -- Request under (1) Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including: an exception to the rear yard requirements as permitted in Section 134(d); and an exception to the Separation of Towers requirement as permitted in Section 132.1©; to construct a 75-foot tall, 7 story building containing nine (9) residential dwelling units and nine (9) off-street parking spaces; and (2) Planning Code Section 204.5 for Conditional Use authorization to allow non-accessory parking. The project site is within a C-3- (SD) (Downtown Office, Special Development) District, and a 200-S Height and Bulk District. Preliminary Recommendation: Pending  
**(Proposed for Continuance to ~~January 16, 2003~~ January 23, 2003)**

SPEAKER(S): None

ACTION: Continued to January 23, 2003

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2002.0779E (NAVARRETE: 558-5975)  
150 BROADWAY (A.K.A. 190 BROADWAY) - Assessor's Block 0141, Lot 011. **Appeal of Preliminary Mitigated Negative Declaration.** The proposed project includes the construction of 87 affordable housing units; 41 off-street parking spaces; a 3,500-square-foot childcare facility; a community room, multi-purpose room and offices associated with the residential use; 2,000 square feet of retail space; and one freight-loading space. The project would consist of three buildings: one three stories tall (approximately 40 feet in height); a second five stories tall (about 50 feet); and the third structure eight stories tall (about 80 feet). The proposed structures would total approximately 128,000 gross square feet. The site is approximately 30,948 square feet in size and located at the northeast corner of Broadway and Battery Streets, with additional frontage on Front Street. The site currently contains a ground-level asphalt parking lot on a portion of the site; the remainder of the site is vacant. The site was formerly occupied by the Embarcadero Freeway off-ramp, and is owned by the City and County of San Francisco. The project site is located within a C-2 (Community Business) zoning district, the Northern Waterfront Special Use District No. 3, the Northeastern Historic District, and an 84-E height and bulk district. The proposed project requires Conditional Use authorization. Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration  
**(Proposed for continuance to March 6, 2003)**

SPEAKER(S): None

ACTION: Continued to March 6, 2003

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

## B. COMMISSION MATTERS

4. Consideration of Adoption - draft minutes of 11/21/02; 11/26/02; 12/05/02; 12/10/02.  
 SPEAKER(S): None  
 ACTION: Minutes of 11/21/02; 11/26/02 and 12/10/02 Approved as submitted.  
 Minutes of 12/05/02 – Continued to January 9, 2003.  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
5. Commission Comments/Questions

### Commission Secretary:

A quorum will be lost at approximately 5:30 p.m. She requested that at 5:30 p.m., the Discretionary Review Calendar items be continued to February 13, 2003.

**C. DIRECTOR'S REPORT**

6. Director's Announcements  
**None**

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals  
**BOS –**

Jean Paul Samaha from staff mentioned that the Board of Supervisors are on recess and will meet again on January 13, 2003. There will be a ceremonial meeting on January 8, 2003 to swear in two new Supervisors for their full 4-year terms and to elect a new president.

Before the Board of Supervisors went into recess there were some items pertinent to the Planning Commission:

*Re: Management Audit*

- This audit was released in April and staff attended a hearing on the recommendations. Supervisor McGoldrick initiated a task force to implement these recommendations.
- A resolution was proposed last Monday to establish an 11-member Planning Audit Implementation Advisory Group which would be managed by Director Green. This group would report to the Board of Supervisors by May 30, 2003. This task force is to sunset by July 30, 2003.

*Re: Budget Crisis in San Francisco*

- Supervisor Hall would like a report in memorandum format from the Port, Redevelopment, Planning and MUNI on long range planning efforts and services are being done, and to determine if any of these efforts can be combined to save some budget money and to not duplicate services.

**BOA –** This report will be continued to January 9, 2003.

**D. REGULAR CALENDAR**

8. 2002.0110EKC (G. NELSON: (415) 558-6257)  
2130 FULTON STREET - north side between Parker and Masonic Streets; Lot 003 in Assessor's Block 1145: Request for Conditional Use authorization pursuant to Section 209.3(i) of the Planning Code to expand an educational institution (University of San Francisco) and, pursuant to Section 253 of the Code, construction exceeding 40' in height within an RH-2 (Residential, House, Two-Family) District and a 80-D Height and Bulk District. The proposal also seeks an exception to the bulk limit per Section 271 of the Code. The proposal is to construct a new, four-story building adjacent to the existing McLaren Center, with its primary façade along Fulton Street.  
Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Rev. John Lo Schiavo, S.J. - Chancellor**

- The School of Business and Management is located in very small rooms so it is not ideal.
- The building was built about 40 years ago and there is no access to the latest technology.
- The plan is to renovate the existing room and add an extension, this would allow them the ability to upgrade the education of their students.

**(+) Bill Katz – SMWM – Project Architect**

- He displayed diagrams and renderings of the proposed addition.

**(+) Harry O'Brien**

- They will save about 15 trees and plant others.

ACTION: Approved  
AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee  
MOTION: 16496

9. 2002.0723C (G. NELSON: (415) 558-6257)  
491 HAIGHT STREET - southeast corner at the intersection of Fillmore Street and Haight Street; Lot 025 in Assessor's Block 859 - Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of two antennas and related equipment on the roof of and within the basement of an existing four-story, 45-foot tall, mixed use (21 apartments over ground floor commercial) structure within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, the proposal is a Preferred Location Preference 5 as it is a mixed-use building in a high-density district.  
Preliminary Recommendation: approval with conditions

SPEAKER(S): None

ACTION: This item was not properly noticed. It will be re-noticed for hearing on February 20, 2003

- 10a. 2002.0951XV (M. LI: (415) 558-6396)  
693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions including: an exception to the rear yard requirements as permitted in Section 134(d). The proposal is to convert 9,420 square feet of office space to 10 dwelling units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The Zoning Administrator will hold a simultaneous hearing to consider a request for an off-street parking variance.  
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, continued to February 6, 2003

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 10b. 2002.0951XV (M. LI: (415) 558-6396)  
693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - Off-street parking variance sought. The proposal is to convert 9,420 square feet of office space to 10 dwelling units. There will be no physical expansion of the existing building. The parking requirement for the proposed project is three spaces, and the project is proposing zero spaces.

SPEAKER(S): None

ACTION: Without hearing, the Acting Zoning Administrator continued this item to February 6, 2003.

11. 2002.1112C (A. LIGHT: (415) 558-6254)  
560 HAYES STREET - north side between Octavia and Laguna Streets, Lot 8, in Assessor's Block 807 - Request for a Conditional Use authorization to permit the operation of a liquor store. The project lies within the Hayes-Gough Neighborhood Commercial Zoning District, and within a 50-X Height and Bulk District. This proposal is to locate an approximately 400 square-foot wine shop specializing in Japanese sake to be known as "True Sake", in a currently vacant ground floor retail space at the project site. (The project sponsor is seeking a State of California Alcoholic Beverage Control Board License Type 20 -- off-sale beer and wine.) Section 720.45 of the Planning Code



requires a Conditional Use authorization by the Planning Commission for the operation of a liquor store in the Hayes-Gough Neighborhood Commercial District. (The definition of "liquor store" under Section 790.55 includes specialty shops that sell beer and wine products, such as sake.)

Preliminary Recommendation: Approval with conditions

**SPEAKER(S):**

**(+) Bo Tinken – Project Sponsor**

- He would like to open the first Sake shop in the United States.
- His store will be top notch.
- This will be a specialty store and not a deli type of store.
- They have responded to issues from the neighborhood stating that there are too many liquor stores in the neighborhood.

**ACTION:** Approved with the amendment that the project sponsor will work with staff to determine language which would specify that the product will be of "premium" grade.

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**MOTION:** 16497

- 12a. 2002.0313CV (A. LIGHT: (415) 558-6254)  
527 GOUGH STREET, west side between Grove and Fulton Streets, Lots 34 and 40, in Assessor's Block 793 -- Request for a Conditional Use authorization to develop a lot that is larger than 9,999 square feet. The proposal would demolish an auto repair garage and construct up to 21 dwelling units, with 4,800 square feet of ground-floor retail and 22 off-street parking spaces, and is also the subject of a concurrent hearing before the Zoning Administrator for a waiver of the rear yard requirement and a Variance from the dwelling unit exposure requirement. The project lies within a NC-3 (Neighborhood Commercial, Moderate Scale) District and within a 50-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of December 12, 2002)

**SPEAKER(S):**

**(+) David Silverman – Representing Project Sponsor**

- He spoke about the general architectural aspects of the project.
- Neighbors have had issues, which the project sponsor has complied with.

**ACTION:** Approve with Amendments: the 22<sup>nd</sup> parking space be dedicated to a car-sharing use unless the developer can prove to the satisfaction of the Director that it's not feasible; and to further direct the project sponsor to unbundled the parking from the units.

**AYES:** Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

**MOTION:** 16498

- 12b. 2002.0313CV (A. LIGHT: (415) 558-6254)  
527 GOUGH STREET, west side between Grove and Fulton Streets, Lots 34 and 40, in Assessor's Block 793 -- Request for a waiver for the rear yard requirement in a Neighborhood Commercial District, and a Variance from the dwelling unit exposure requirement. The proposal would demolish an auto repair garage and construct up to 21 dwelling units, with 4,800 square feet of ground-floor retail and 22 off-street parking spaces, and is also the subject of a concurrent hearing before the Planning Commission for a Conditional Use authorization to develop a lot that is larger than 9,999 square feet. The project lies within a NC-3 (Neighborhood Commercial, Moderate Scale) District and within a 50-X Height and Bulk District.  
 (Continued from Regular Meeting of December 12, 2002)

**ACTION:** Acting Zoning Administrator closed the Public Hearing and has taken this matter under advisement.

13. 2002.0926TM (P. LORD: (415) 558-6311)  
THIRD STREET ALCOHOL RESTRICTED USE DISTRICT - Consideration of an Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.  
 Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

RESOLUTION: 16499

- 14a. 2002.0451ECKTZ (M. WOODS: (415) 558-6315)  
1250 HAIGHT STREET - north side, between Lyon Street and Central Avenue, Lots 11 and 14 in Assessor's Block 1234 - Amendment to the Planning Code to 1) add Section 249.23 for the creation of a Special Use District, the Haight Street Senior Affordable Housing Special Use District, and allowing the following exceptions from Code requirements upon approval as a Conditional Use: residential density bonus of up to 6 senior affordable dwelling units, in addition to the 34 dwelling units as permitted under RM-1 District (for a total of 40 units); and modifications or exceptions to rear yard, dwelling unit exposure, useable open space, and off-street parking requirements in the RM-1 District, and 2) amendment to the Planning Code to add Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District, and allowing up to a maximum of the 60-X Height and Bulk District standards.  
 Preliminary Recommendation: Adoption of the Draft Resolution for the Planning Code Amendments for the creation of the new Special Use District  
 (Continued from Regular Meeting of November 21, 2002)

SPEAKER(S):

**(+) Alice Galvovitch – Project Sponsor**

- They have been planning a series of discussions with the community for the past two years.

- Several community members have asked to reduce the parking from six to four parking spaces.

- This would allow a new area of open space in the rear.

**(+) Catherine Martin**

- She and her husband are in full support of this project.

**(+) Peggy Harnstock**

- She is here representing the Buena Vista neighborhood.

- Her organization welcomes this project. The project sponsor has been very cooperative with the community.

**(+) Jim Fay**

- There is no need to have more parking.

- Transportation on this street is great. There are plenty of bus lines that pass by there.

- He hopes that the Commission will approve this project.

**(+) (first name unclear) Lynch**

- She supports this project.

**(+) Calvin Welch**

- His organization supports this project.

ACTION: Approved as Amended: Department should communicate to the Board of Supervisors that if this project does not go forward, Section 5, paragraph

f of the proposed ordinance, which states that "The controls of this Section shall remain in effect until December 31, 2008," would expire.

AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee  
 MOTION: 16500

- 14b. 2002.0451ECKTZ (M. WOODS: (415) 558-6315)  
1250 HAIGHT STREET - north side, between Lyon Street and Central Avenue, Lots 11 and 14 in Assessor's Block 1234 - 1) Amendment to the Zoning Map (Sheet 7) to create and delineate the Haight Street Senior Affordable Housing Special Use District to include the above-referenced property, and 2) Amendment to the Zoning Map (Sheet 7H) to change the Height and Bulk District classification from 40-X to 60-X for the above-referenced property.  
 Preliminary Recommendation: Adoption of the Draft Resolution for reclassification of the proposed Height District  
 (Continued from Regular Meeting of November 21, 2002)

SPEAKER(S): Same as those listed in Item 14a.  
 ACTION: Approved  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee  
 MOTION: 16501

- 14c. 2002.0451ECKTZ (M. WOODS: (415) 558-6315)  
1250 HAIGHT STREET - north side, between Lyon Street and Central Avenue, Lots 11 and 14 in Assessor's Block 1234 - Request for Conditional Use authorization to remodel and horizontally expand the existing Third Church of Christ Scientist building, and to demolish the classroom wings, and the Reading Room building, located on the west portion of the site, for the development of a 40-unit affordable senior housing facility. Most of the construction work would occur within the existing building envelope, except for an approximately 800 square-foot addition at the rear of the Church. The existing Third Church of Christ Scientist building is approximately 60 feet tall and is in an RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X Height and Bulk District.  
 Preliminary Recommendation: Approval with conditions  
 (Continued from Regular Meeting of November 21, 2002)

SPEAKER(S): Same as those listed in item 14a.  
 ACTION: Approved  
 AYES: Bradford Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee  
 ABSENT: W. Lee  
 MOTION: 16502

15. 2002.0942C (D. JONES: (415) 558-6477)  
470-476 CASTRO STREET - west side of Castro Street between 17th and 18th Streets, Lot 012 in Assessor's Block 2647- Request for Conditional Use Authorization pursuant to Planning Code sections 715.67 and 303 to establish a video store (Superstar Video) on the ground floor of a retail commercial building with an existing non-conforming use size of approximately 4,400 square feet within the Castro Street Neighborhood Commercial and a 40-X Height and Bulk District. The current use of the subject property is a retail grocery store (Valley Pride).  
 Preliminary Recommendation: Approve with conditions

SPEAKER(S): None  
 ACTION: Before losing a quorum, this matter was continued without hearing to January 23, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein  
ABSENT: Hughes. S. Lee, W. Lee

- 16a. 2001.1058CEKZ (G. CABREROS: (415) 558-6169)  
2161 SUTTER STREET - south side between Pierce and Steiner Streets; Lot 005 in Assessor's Block 0682 - Request to amend the Planning Code Zoning Map to reclassify Lot 005 from an NC-2 (Small-Scale Neighborhood Commercial) Zoning District to an RM-3 (Residential, Mixed, Medium Density) Zoning District. The proposal to reclassify Lot 005 (5,156 square feet in area), which abuts an existing RM-3 Zoning District to the south, is to allow for up to 24 new dwelling units to be constructed as an addition to the adjacent apartment complex, known as 2000 Post Street which contains 304 dwelling units and which was originally approved in 1981 as a Planned Unit Development (PUD). Preliminary Recommendation: Adopt Reclassification

SPEAKER(S): None  
ACTION: Before losing a quorum, this matter was continued without hearing to January 23, 2003.  
AYES: Bradford Bell, Antonini, Boyd, Feldstein  
ABSENT: Hughes. S. Lee, W. Lee

- 16b. 2001.1058CEKZ (G. CABREROS: (415) 558-6169)  
2161 SUTTER STREET - south side between Pierce and Steiner Streets; Lot 005 in Assessor's Block 0682 in an NC-2 (Small-Scale Neighborhood Commercial) District and a 50-X Height and Bulk District -- Request for Conditional Use authorization pursuant to Section 304 of the Planning Code to allow the addition of up to 24 new dwelling units to the existing adjacent 304-unit Planned Unit Development (PUD) known as 2000 Post Street, which was originally approved in 1981. The proposal to construct up to 24 units is permitted with Conditional Use authorization provided that Lot 005 is reclassified to an RM-3 (Residential, Mixed, Medium Density) Zoning District. Preliminary Recommendation: Approval with conditions

SPEAKER(S): None  
ACTION: Before losing a quorum, this matter was continued without hearing to January 23, 2003.  
AYES: Bradford Bell, Antonini, Boyd, Feldstein  
ABSENT: Hughes. S. Lee, W. Lee

#### E. DISCRETIONARY REVIEW HEARING

At approximately **5:30 PM** the Planning Commission was scheduled to convene into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

17. 2002.1130D (T. TAM: (415) 558-6325)  
3739-16TH STREET - south side, between Castro and Flint Streets, Lot 35 in Block 2622 - Mandatory Discretionary Review request, under Planning Commission Resolution Number 16078, for a building permit (No. 2002.10.02.7994s) to allow reduction of dwelling units (from three to two) on the subject property. The property is located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the dwelling unit merger as proposed.

SPEAKER(S): None  
ACTION: Before losing a quorum, this matter was continued without hearing to February 13, 2003.  
AYES: Bradford Bell, Antonini, Boyd, Feldstein  
ABSENT: Hughes. S. Lee, W. Lee



- 18a. 2002.0963DV (T. WANG: (415) 558-6335)  
1411 NOE STREET - east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.08.01.2923 to demolish an existing single-family dwelling and replace it with a new single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

SPEAKER(S): None

ACTION: Before losing a quorum, this matter was continued without hearing to February 13, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein

ABSENT: Hughes. S. Lee, W. Lee

- 18b. 2002.0963DV (T. WANG: (415) 558-6335)  
1411 NOE STREET- east side between 27th and Duncan Streets; Lot 023 in Assessor's Block 6593 - Front Setback and Rear Yard Variances Sought – Planning Code Section 132 (a) requires a front setback of 2 feet 7 inches and Section 136(c)(25)(A) requires a minimum rear yard of 15 feet for the subject lot. The proposed new single-family dwelling would encroach 7 inches into the required front setback and would encroach 9 feet into the required rear yard, extending to within 6 feet of the rear property line in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

SPEAKER(S): None

ACTION: Before losing a quorum, this matter was continued without hearing to February 13, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein

ABSENT: Hughes. S. Lee, W. Lee

19. 2002.0832D (D. JONES: (415) 558-6477)  
1121 MORAGA STREET - south side, between 18th and 17th Avenues, Lot 030 in Block 2032 - Discretionary Review request, for a building permit (No. 2002.04.17.4126s) to allow the construction of a new third story and rear deck to the existing two-story, single-family dwelling. The property is located in the RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as modified.

SPEAKER(S): None

ACTION: Before losing a quorum, this matter was continued without hearing to February 13, 2003.

AYES: Bradford Bell, Antonini, Boyd, Feldstein

ABSENT: Hughes. S. Lee, W. Lee

20. 2002.0267D (M. SNYDER: (415) 558-6891)  
1600 MISSION STREET southwest corner of Mission Street and Otis Street, Lot 1 in Assessor's Block 3512 - Request for Discretionary Review of Building Permit Application No. 2002.03.19.1823 proposing to construct a four story vertical addition at the southern end of the property, which would add approximately 6,500 gross square feet of office use specifically for design professionals. The property is within the C-M (Heavy Commercial) District, and a 105-J Height and Bulk District.  
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None  
ACTION: Before losing a quorum, this matter was continued without hearing to February 13, 2003.  
AYES: Bradford Bell, Antonini, Boyd, Feldstein  
ABSENT: Hughes. S. Lee, W. Lee

#### **F. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**None**

Adjournment: 5:54 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, JANUARY 9, 2003.

SPEAKERS: None  
ACTION: Approved  
AYES: Antonini, Boyd, Bradford Bell, Feldstein, Hughes, Sue Lee, William Lee

# **SPECIAL MEETING OF THE SAN FRANCISCO PLANNING COMMISSION Meeting Minutes**

**Commission Chambers - Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Thursday, December 19, 2002  
12:30 PM**

**COMMISSIONERS PRESENT:** Shelley Bradford Bell; Michael J. Antonini; Rev. Edgar E. Boyd;  
Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

**COMMISSIONERS ABSENT:** None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 12:32 p.m.**

**STAFF IN ATTENDANCE:** Gerald Green – Director; Larry Badiner - Zoning Administrator; Judy Boyajian – Deputy City Attorney; Amit Ghosh; Miriam Chion; Ann Marie Rodgers; Jill Slater; Sue Exline; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

## **A. DIRECTOR'S REPORT**

1. Director's Announcements

**None**

2. Eastern Neighborhoods & Community Planning Informational Presentation

Amit Ghosh and Miriam Chion gave a PowerPoint presentation.

**SPEAKER(S):**

**Diane Oshima – Port of San Francisco**

- She is the manager of Waterfront Planning.
- She thanked staff for doing such a great job on this complicated but comprehensive process.
- She gave a report on the range of what can happen on port property and why there should be focus on how this area relates to neighboring city areas—from an industrial sense.

**Seth Steward – Director of the Small Business Commission**

- He thanked Jean-Paul Samaha on speaking to the Small Business Commission recently regarding this item.
- The SBC instructed him to speak before the Planning Commission specifically about this item and arrange for the Planning Commission and Planning staff to attend their next hearing on January 13, 2003.

- He will then appear before the Planning Commission on January 16, 2003 when this issue comes up again.
  - The SBC feels that for a variety of reasons the small business community as a whole has been left out of this particular planning process but would like to be included.
- Svetlana Karasyova – Recreation and Park Department**
- She would like to thank staff from the Planning Department for communicating with the staff from the Recreation and Park Department regarding open space and recreation services.
  - A program needs to be worked out regarding high needs for open space and recreation opportunities in the City.
  - This amendment would help the land acquisition program from Rec and Park.

**Swany Cho – MUNI**

- As the transit agency for the City of San Francisco, they have been working with the Planning Department on the eastern neighborhoods as well as the Better Neighborhoods program.
- Staff has been doing great work.
- They are looking forward to seeing the outcomes and looking forward to working on long-range planning.

**Peggy Wu – Redevelopment Agency**

- The agency has been working closely with Planning staff on this item.
- She is available to answer questions.

**Eric Quesada – Mission Anti-Displacement Coalition**

- They became involved in the planning process out of necessity.
- After several protests and angry residents, they had a community meeting, which was attended by the Director of Planning, and a planning process was established.

**Maria Poblet – St. Peter's Housing Committee**

- She works for St. Peter's Housing Committee
- They became involved with the Mission Anti-Displacement Coalition because the number of residents that were being displaced grew by 300%.
- There were entire families that became homeless.
- She encourages the Commission to move forward with the EIR.

**Myriam Zamora – St. Peter's Housing Committee**

- She belongs to St. Peter's Housing Committee and she is very proud to work with the committee.
- She became involved with the Mission Anti-Displacement Coalition because she was one of the victims that was displaced.
- The housing situation in the Mission is deplorable because there are a number of people living in small units.
- Another problem residents have is that landlords resist making repairs to housing units.
- She is in agreement with the planning process.

**Nancy Esteva – Families in SROCS**

- Her organization is in agreement with the planning process until an alternative is found to help these families.

**Dave McGuire – Mission Anti-Displacement Coalition**

- He has attended all of the planning meetings.
- The future of San Francisco looks pretty dim if a planning process is not established and approved of.

**Andrew Wood – San Francisco International Arts Festival – Mission Anti-Displacement Coalition**

- The area plan will help the Mission District.
- The small business community has been involved in this planning process since he held one of the community meetings in his theatre, the ODC theatre.
- He welcomes everyone to support small businesses because there are a lot of empty store fronts in the Mission District. With the area plan, there are opportunities and ways to support small businesses.



**Cris Selig – Mission Anti-Displacement Coalition**

- She became involved with MAC because she saw there was a need for the community planning process.
- A long-term process for the Mission is a good idea.

**Oscar Grande – MAC and PODER**

- It is no accident that hundreds of residents of the Mission are now participating in the community planning process.
- They are also educating people on the EIR process.

**Wendy Philips – Mission SRO Collaborative and MAC**

- The Mission is a family neighborhood.
- They have announced at every community meeting, that the Mission needs community-serving businesses and organizations.
- They would like to have housing planned for the very low-income bracket.

**James Collins – 6<sup>th</sup> Street Agenda**

- He would like to have the entire community be involved in the process.

**Bill Pollard – Bay West Group**

- The major design districts in the world are mixed use areas.
- He feels threatened that the showplace square area is being called PDR.
- The real need for San Francisco is for housing.

**Curtis Eisenberger**

- The process is seriously flawed.
- He displayed a zoning map of the Mission showing how the plan has a 70% error rate.

**Oz Erickson – Emeral Fund**

- It is extremely important that the Commission focus on non-confirming uses.

**Wells Lawson – Mission Coalition for Economic Justice and Jobs**

- They have done a thorough analysis of PDR in other cities (he presented the report to the Commission).
- The City needs to look more closely at PDR and define what PDR really is.

**James Lee**

- He would like the Commission to review the process of how notifications are issued because this could cause basis for a flawed process.

**John Elberling**

- He feels that this policy is not complete and that there should be more community input.

**Phil Erickson – Mission Coalition**

- He displayed a zoning map of the work they have been doing that takes into account the input they have received from residents.

**Fred Snyder**

- He is here from the Northeast Mission area.
- He displayed a map of the Eastern neighborhoods mentioning that his organization was not invited to participate in this process.

**Tania Baker – Northeast Industrial Zone in the Mission**

- They are concerned about her organization not being involved in this planning process.
- To impose nonconforming use procedures that require legal representation is going to hurt very small businesses and people in the neighborhood. If this planning process is too rigid, it doesn't leave the space for the very small businesses. There has to be a broader leeway for non-confirming use.

**Eileen McCort – Business Manager with Project Artaud**

- They are concerned with the non-confirming uses that have been designated in the Mission.
- They were not aware of the community planning meetings.
- They would like clarification regarding non-conforming land use.

**Judy West**

- She has been involved in this debate for 10 years and she has always been looking out for the small business community.
- This is a mixed use district and everyone likes it that way. There is a need for housing guidelines and she does not want to ban housing altogether.

**Anthony Faber – SOMA Leadership Council – Mid-Market PAC**

- He feels that there were some problems with the South of Mission process. It seems like developers and land owners were disproportionately represented. He found that the meetings were too far apart and this makes it hard to keep continuity.

**Ernestine Weiss**

- She has lived here for many years and has never seen a smart housing plan. The result of this is economic chaos.

- Housing can be built but (we need) to build middle-class housing.

**Victor Vitlin – Lyon Enterprises**

- Lyon has a key interest in the zoning of the area

- He looks forward to working with the Planning Commission and staff

**Jim Mecko – Chair of the SOMA Leadership Council**

- He submitted a document which contains a history of the community planning efforts in the South of Market area.

**Fritz Maytag – Anchor Brewing Co.**

- He has been working in San Francisco for many years.

- Politics is what one does instead of shooting each other.

- He urges the Commission to think seriously about businesses that are industrial users or light industry. These companies have the kind of jobs that people work at and make the City vital.

**Charles Brendinger – Engineer and Builder in SOMA**

- He disagrees with Director Green statement that several projects should be reviewed under the light of future planning.

- This is freezing many business transactions in the South of Market area.

- People are reluctant to buy or sell property.

**Milton Gaines**

- He is a property owner in the Mission District.

- He commends MAC for their desire to provide low income housing for immigrants but he requests that the Commission give the Mission a balanced approach.

**Joe O'Donaghue**

- Here we have politics dictating housing models and politics dictating communities. As a result of this, there is a housing crisis.

**Dav Dods – Bay View**

- These workshops have been helpful for the Bay View area.

**Shawn Gorman**

- He would like to commend the department on the community process for the Showplace Square area.

**Tim Tosta – Steiffel, Levitt and Weiss**

- He has been able to work on the rezoning in the Mission and the City of Menlo Park.

- The contrast and the similarities are interesting. He will be submitting a document regarding this analysis.

- He is concerned about how we are planning for the next generation and forecasting adequately.

**Richie Hart**

- He has built live/work in various areas because, at the time, it was the permitted use.

- He has never has to evict anyone.

- PDR is necessary but housing is necessary as well.

- Higher density housing is necessary.

**Cristina Logie – Mission Agenda**

- She is disappointed with how the whole process is being characterized.

- She feels that the Planning department has done a good job.

- If developers interests do not dominate the discussion, they feel excluded.

- In communities of color, it takes hundreds of voices to make any changes--yet developers don't need that many.

- She thanks the department for including them in the planning process for the Mission.

ACTION: Meeting held. Informational only. No action required.

Adjournment: 4:01 p.m.

THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING ON THURSDAY, JANUARY 9, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Boyd, Bradford Bell, Feldstein, Hughes, Sue Lee, William Lee











